ISLAMIC HISTORY SERIES **PART II**

THE RIGHTLY GUIDED CALIPHS **2**

'UMAR IBN AL-KHATTÂB

HIS LIFE & TIMES

عمر بن الخطاب (رضي الله عنه) شخصيته وعصره

Vol. 1

Dr. 'Ali Muhammad aṣ-Ṣallâbi



الدار العالمية للكتاب الإسلامي

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Islamic History —
The Rightly Guided Caliphs (2)

'Umar ibn al-Khaṭṭâb

His Life and Times

VOLUME ONE

عمر بن الخطاب رضي الله عنه

شخصيته و عصره

Dr. 'Ali Muhammad as-Sallabi

Translated by

Nasiruddin al-Khattab

INTERNATIONAL ISLAMIC PUBLISHING HOUSE

List of Contents

CHAPTER TWO

CHAPTER FOUR

Transliteration Chart

أ	a
آ . ى	â
ب	b
ت	t
ة	h or t (when followed by another Arabic word)
ث	th
ج	j
ح	ḥ
خ	kh
د	d
ذ	dh
ر	r
ز	z
س	s
ش	sh
ص	ṣ
ض	ḍ
ط	ṭ

ظ	<u>dh</u>
ع	‘
غ	gh
ف	f
ق	q
ك	k
ل	l
م	m
ن	n
هـ - ه - ـه	h
و	w
و (as a long vowel)	oo
ي	y
ي (as a long vowel)	ee
ء	’ (Omitted in initial position)

ـَ	Fatḥah	a
ـِ	Kasrah	i
ـُ	Ḍammah	u
ـّ	Shaddah	Double letter
ـْ	Sukoon	Absence of vowel

Translator's Foreword

These are tumultuous times in which much is changing. The Muslim Ummah is faced with new challenges which it must meet and overcome, whilst also striving for its very survival in some parts of the world.

Those who study history know that there are patterns and scenarios that are repeated over and over again as nations and empires rise and fall. There is very little that has never happened before, in one way or another. The current emergence of the "new world order" is in many ways, nothing new. During the period covered in this book, the life of 'Umar ibn al-Khaṭṭâb, the Muslims were also faced with a "new world order" as the old powers declined and the new and vibrant movement of Islam moved to centre stage.

The "new world order" of 'Umar's time was controlled by Shari'ah and motivated by the desire to spread true guidance, unlike its modern counterpart, which is controlled by corporate interests and motivated by greed. However, many of the challenges faced, then and now, were (and are) matters that are not addressed directly in the Qur'an and Sunnah. This is where the author of this book makes a valuable contribution, by showing in detail how the Muslim leadership during the golden age of Islam was able to rise to the challenges and deal successfully with them.

At a time of intense confusion within the Muslim ummah as to which approach is best, amid conflicting calls to follow the way of customs or traditions or to "modernize" and follow the west, this book provides a practical model, in the life of 'Umar ibn al-Khaṭṭâb,

of how the Muslims can draw upon the lessons of the greatest era in Islamic history — that of the Prophet (ﷺ) and the Rightly-Guided Caliphs — and apply it in practical terms to the issues that face us now.

'Umar sought solutions from the Qur'an and Sunnah to the problems and challenges the ummah faced, but he was not rigid or literal in his approach. He realized that simply repeating what has worked in the past was not always the answer, and that it was essential to understand the spirit of Shari'ah as well as the "letter of the law". His approach was innovative (in the purely linguistic sense) yet still firmly within the boundaries of Islam.

Although he was a man of immense and profound knowledge, he consulted other scholars, knowledgable people and experts at every step of the way. When an important decision was to be taken, he would summon the senior *Ṣaḥâbah* and consult with them, and the decision would be taken by consensus only after thorough debate.

Far from being a distant ruler, 'Umar was one whose approach was very much "hands on". During his nightly patrols of Madeenah, for which he was famous, he was able to discover what the common people thought and was able to take action accordingly, such as when he changed the rules to allow a stipend to be paid to Muslim children from birth and not from the time they were weaned, because that ruling made mothers hasten to wean their children, which caused suffering to their infants.

When faced with the extensive famine of ar-Ramâdah, 'Umar was especially close to the people, ensuring that all were cared for, providing food for the refugees who flocked to Madeenah and leading by example, ensuring that he did not eat any better than his people. He also took the bold step of delaying zakah payments and suspending *ḥadd* punishments for the duration, until the rains finally

came and life returned to normal. During the plague of Amwâs he also introduced what we would call emergency measures, such as placing restrictions on movement into and out of the affected areas.

In military matters, although he was based in Madeenah, 'Umar kept a close eye on the campaigns and directed the course of battle. Through an extensive communications network, 'Umar was kept informed of the troops' progress and received intelligence about the lay of the land and the enemy's strengths and weakness, and was thus able to issue detailed instructions. But his interest went further than that. 'Umar felt that he was personally responsible, before Allah, for everything that happened in the Islamic state, even the widows in Iraq and even the livestock.

Once lands had been conquered, that was not the end of the matter. Unlike the old Bedouin approach of attack and retreat, 'Umar's method was far more strategic. He took care to ensure that the new lands were incorporated fully into the Islamic state and that the message of Islam was spread to their people. Thus he established new cities, as military bases but also as centres of learning and *da'wah*. Their fair treatment of the non-Muslims who came under their rule also contributed to their success. The vassal peoples of the old Roman empire welcomed the newcomers who treated them with mercy and justice. When the Muslims found themselves unable to defend the people of Homs in accordance with the terms of their treaty, they returned their *Jizyah* to them, and the people of Homs looked forward to the day when the Muslims would return to rule their city again. This approach won the hearts of many who embraced Islam willingly.

It is worth noting that most, if not all, of the lands which 'Umar won for Islam with this approach are still Muslim today, and are mostly Arabic-speaking.

Along with the other *Ṣaḥâbah*, 'Umar did not let victory make him become proud or arrogant. They believed that victory came only from Allah and that their duty was to put their trust in Him and give thanks to Him.

As well as the numerous practical examples of leadership that are given, this book presents us with an important lesson which all Muslims need to grasp, which is that the Ummah's strength does not lie in money, natural resources or numbers — we have all of these in abundance today, whereas the ummah at the time of 'Umar had very little of any of them. The source of the ummah's strength lies in Islam and in its adherence to the way of the Qur'an and Sunnah. Having tried all the "isms" and ideologies of the last century or two, which have all failed and have led only to an increase in the human misery of the Ummah, it is time to recognize that we have no choice but to return to Islam and take it seriously, as the *Ṣaḥâbah* did.

May Allah reward the author for his extensive research and for presenting such important information to the Ummah, lessons which we have never needed to learn more than we do now.

Nasiruddin al-Khattâb

Introduction

Praise be to Allah. We praise Him and seek His help and forgiveness and guidance. We seek refuge with Allah from the evil of our own selves and from our evil deeds. Whomsoever Allah guides, none can lead astray, and whomsoever He sends astray none can guide. I bear witness that there is no god but Allah alone, with no partner or associate, and I bear witness that Muhammad is His slave and Messenger.

﴾O' you who believe! Fear Allah [by doing all that He has ordered and by abstaining from all that He has forbidden] as He should be feared. [Obey Him, be thankful to Him, and remember Him always,] and die not except in a state of Islam [as Muslims (with complete submission to Allah)].﴿ *(Qur'an 3: 102)*

﴾O' mankind! Be dutiful to your Lord, Who created you from a single person [Adam], and from him [Adam] He created his wife [Hawwa (Eve)], and from them both He created many men and women; and fear Allah through Whom you demand [your mutual rights], and [do not cut the relations of] the wombs [kinship]. Surely, Allah is Ever an All-Watcher over you.﴿ *(Qur'an 4: 1)*

﴾O' you who believe! Keep your duty to Allah and fear Him, and speak [always] the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allah and His Messenger, he has indeed achieved a great achievement [i.e. he will be saved from the Hell-fire and will be admitted to Paradise].﴿ *(Qur'an 33: 70-71)*

Acknowledgements regarding the writing of this book go first of all to Allah, may He be exalted and glorified, then to a good group of scholars, shaykhs and *dâ'iyahs* who encouraged me to go ahead and study the era of the Rightly-Guided Caliphs (*al-Khulafa' ar-Râshideen*). One of them said to me that there is a gap between the Muslims and that period, and there is confusion with regard to priorities. Many of the Muslims are better acquainted with the lives of the *dâ'iyahs*, scholars and reformers than with the lives of the Rightly-Guided Caliphs, but that era is rich in lessons about the political, educational, media, moral, economic, intellectual, jihadi and fiqhi aspects of Islam, of which we are in the greatest need. We need to study the institutions of the Islamic state and how they developed as time went by, such as the judiciary and financial institutions, the caliphate system, the military institutions, the way in which governors were appointed and the process of ijtihad which took place at that time when the Muslim ummah came into contact with the Persian and Byzantine civilizations, and the progress of the Islamic conquests.

This book began as an idea which Allah willed should become reality. Allah took me by the hand and smoothed the way and made things easy for me. He helped me to find the references and sources, and praise is due to Allah for helping me to do that.

The history of the Rightly-Guided Caliphs is full of lessons which are scattered throughout the books and sources, whether they have to do with history, hadith, fiqh, literature, *tafseer*, or biographies and evaluations of narrators. I began to study them as I was able to, and I found therein abundant historical material which is difficult to find in the well known history books that are currently in circulation. I compiled this material, organized it, examined it and analyzed it. The first book, about Abu Bakr aṣ-Ṣiddeeq (ﷺ) had already been published under the title: *Abu Bakr aṣ-Ṣiddeeq, Shakhsiyatuhu wa*

'Asruhu — Abu Bakr aṣ-Ṣiddeeq, His Personality and Era.

By the grace of Allah, this book was widely distributed in the Arabic bookstores and international book fairs. It reached many readers, *dâ'iyahs,* scholars and seekers of knowledge, as well as the general Muslim public. They encouraged me to continue studying the history of the Rightly Guided Caliphs, and to try to simplify it and make it accessible to the ummah in a style that is more suited for modern times.

The history of the Rightly Guided Caliphs is filled with lessons. If we present them properly and avoid the weak and fabricated narrations, and the books of the Orientalists and their lackeys among the secularists and Râfidis and their ilk, and follow the methodology of *Ahl as-Sunnah,* then we will have contributed to the presentation of history according to the view of *Ahl as-Sunnah wa al-Jamâ'ah,* as well as having come to know more about the life and times of those concerning whom Allah (ﷻ) said:

﴾And the foremost to embrace Islam of the *Muhâjiroon* and the Anṣâr and also those who followed them exactly [in Faith]. Allah is well-pleased with them as they are well-pleased with Him. He has prepared for them Gardens under which rivers flow [Paradise], to dwell therein forever. That is the supreme success.﴿ *(Qur'an 9: 100)*

﴾Muhammad is the Messenger of Allah. And those who are with him are severe against disbelievers, and merciful among themselves. You see them bowing and falling down prostrate [in prayer]...﴿ *(Qur'an 48: 29)*

And the Messenger of Allah (ﷺ) said concerning them: «The best of my ummah are the generation to whom I was sent...»[1]

[1] Muslim, vol. 4, Pp. 1963-1964.

And 'Abdullâh ibn Mas'ood (ﷺ) said concerning them: "Whoever would like to follow the way of someone, let him follow the way of those who have died, for those who are still living are not safe from *fitnah*."

Such were the Companions of Muhammad (ﷺ), who were, by Allah, the best of this ummah, the most sincere, the most knowledgeable and the least pretentious. They were the people whom Allah chose to accompany His Prophet and establish His religion, so we must acknowledge their virtue and follow in their footsteps, adhering as much as possible to their example of morality and religious commitment, for they followed true guidance.[2] The *Ṣaḥâbah* applied the rulings of Islam and spread Islam east and west. Their era was the best of eras, for they were the ones who taught the ummah the Qur'an and narrated the Sunnahs and reports from the Messenger of Allah (ﷺ). Their history is a storehouse of the ummah's treasures: thought, culture, knowledge, jihad, conquests and dealings with other peoples and nations. In this glorious history, subsequent generations find that which will help them to direct their affairs in life according to the right way and sound guidance, and to understand the true nature of their message and their role in this world. From that era they can derive that which will nourish their souls, discipline their hearts and enlighten their minds. It will motivate them, teach them lessons and help their ideas to mature. *Dâ'iyahs*, scholars, shaykhs and all members of the ummah will find therein that which will help them to prepare the new generation of Muslims and raise them according to the Prophet's way. They will become acquainted with the main features of the Rightly-Guided Caliphate and the attributes of its leaders and the people, and the reasons for its demise.

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[2] *Sharḥ as-Sunnah*, by al-Baghawi, vol. 1, Pp. 214-215.

This second book about the era of the Rightly Guided Caliphs speaks of al-Fârooq 'Umar ibn al-Khaṭṭâb, his personality and his era. He was the second caliph and the best of the noble *Ṣaḥâbah* after Abu Bakr aṣ-Ṣiddeeq (may Allah be pleased with them both). The Messenger of Allah (ﷺ) encouraged us and commanded us to follow their path and their guidance. The Messenger of Allah (ﷺ) said: «I urge you to adhere to my Sunnah and the way of the Rightly Guided Caliphs after me.»[3]

'Umar (ﷺ) was the best of the righteous after the Prophets and Messengers and Abu Bakr aṣ-Ṣiddeeq (ﷺ). The Messenger of Allah (ﷺ) said of them both: «Follow the example of the two who come after me, Abu Bakr and 'Umar.»[4] There are many well-known *aḥâdeeth* — hadiths — and reports which speak of the virtues of 'Umar (ﷺ). The Messenger of Allah (ﷺ) said: «Among the nations who came before you were some who were inspired. If anyone among my ummah were to be inspired it would be 'Umar.»[5]

And the Messenger of Allah (ﷺ) said: «Whilst I was sleeping, I saw myself drawing water from a well with a bucket. Abu Bakr came and drew a bucket or two weakly. May Allah forgive him.[6] Then 'Umar ibn al-Khaṭṭâb came and the bucket turned into a very large one in his hands. I had never seen any one so strong doing this task, all the people drank their fill and watered their camels that knelt down there.»[7]

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[3] *Sunan Abi Dawood*, 4/201; Tirmidhi, 5/44; *ḥasan ṣaḥeeḥ*.

[4] *Ṣaḥeeḥ Sunan at-Tirmidhi*, by Shaykh al-Albâni, 3/200.

[5] Bukhari, hadith no, 3689; Muslim, hadith no. 2398.

[6] "May Allah forgive him"; this is not intended to belittle Abu Bakr; rather it is a phrase which the Muslims used to use frequently in their speech.

[7] Muslim hadith no. 2393.

'Amr ibn al-'Âṣ (رضي الله عنه) said: «I said: "O' Messenger of Allah, which of the people is most beloved to you?" He said, " 'Â'ishah." I said, "O' Messenger of Allah, who among men? He said, "Her father." I said, "Then who?" He said, "Umar ibn al-Khaṭṭâb," then he named some other men.»[8]

The life of al-Fârooq 'Umar ibn al-Khaṭṭâb (رضي الله عنه) is a shining page of Islamic history, which outshines and supercedes all other histories. The history of all nations put together does not contain even a part of what his life contained of noble conduct, glory, sincerity, jihad and calling others for the sake of Allah. So I began to study his life and times in the reference books and sources, and I analyzed it, verified it and put it in order so that it would become accessible to the *dâ'iyahs*, *khaṭeebs*, scholars, politicians, thinkers, military commanders and rulers of the ummah, as well as the seekers of knowledge and the general public, so that they may benefit from it in their lives by following his example, and that Allah may bestow upon them success in this world and in the Hereafter.

I studied the life of 'Umar from his birth until his martyrdom. In this book I discuss his lineage, his family and his life during the *Jâhiliyah*, as well as his becoming Muslim and his migration (*hijrah*), the effect that the Holy Qur'an and his keeping company with the Prophet (ﷺ) had on training him and forming his Islamic personality. I discuss the role he played in military campaigns and in the society of Madeenah during the lifetime of the Prophet (ﷺ) and of Abu Bakr aṣ-Ṣiddeeq (رضي الله عنه). I describe how he was appointed as caliph and explain the foundations of his way of ruling, such as *shoora* (consultation), establishing justice and equality among people, and his respect for personal freedom. I point out the most important characteristics of 'Umar, his family life, his respect for *Ahl*

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[8] *Al-Iḥsân fee Ṣaḥeeḥ Ibn Ḥibbân*, 15/309.

al-Bayt, and his life in society after he became the caliph of the Muslims, how he took care of the women of that society, how he showed respect for people who were known for their virtue and good works, how he was keen to meet the needs of the people, how he trained some of the leaders of society, how he denounced some of those who were deviant in their behaviour, how he was concerned about the health of his people, how he set up a system to check on what was happening in the marketplace, how he was keen to attain the goals of shari'ah in society by defending the concept of *Tawḥeed* and fighting deviation and innovation (*bid'ah*), his concern regarding acts of worship and how he protected the honour of the *Mujâhideen*.

I also discuss 'Umar's deep concern for knowledge, how he kept an eye on the people by teaching them and guiding them in Madeenah, and how he made Madeenah a centre for *fatwas* and fiqh, how he made it into a school which produced scholars, *dâ'iyahs*, governors and *qâḍis*. I describe 'Umar's influence on the schools of thought in other regions, such as the schools of Makkah, Madeenah, Baṣra, Koofah, Syria and Egypt. 'Umar took care to prepare specialized scholars whom he sent out to the regions. As the conquests spread, he taught commanders and governors to establish mosques in the conquered lands that would become centres of *da'wah* and teaching and spreading Islamic civilization. These mosques were the first educational institutions in Islam, through which the scholars among the *Ṣaḥâbah* began to teach the people who had recently entered Islam voluntarily, with no force or pressure. The number of mosques in which *Jumu'ah* prayers were offered in 'Umar's state reached twelve thousand. The educational institutions which were established in the wake of the army that conquered Iraq, Iran, Syria, Egypt and North Africa were led by distinguished scholars, *faqeehs* and *dâ'iyahs* who had learned at the hands of the Messenger of Allah (ﷺ) in Madeenah. 'Umar made use of these

resources and directed them properly, producing the scholars and *faqeehs* who kept pace with the conquering army.

I also discuss 'Umar's interest in poetry and poets. 'Umar was the most interested of the Rightly Guided Caliphs in poetry, which he would listen to and appreciate. He was also the most likely to quote suitable poetry on all occasions, so much so that it was said that there was no incident that 'Umar ibn al-Khaṭṭâb came across, but he would say a line of verse that was appropriate to the occasion. He was also a brilliant literary critic. He had standards to which he would refer when he decided which text was better than another, or which poet was better than another. These standards included correct usage of Arabic language, use of normal words and phrases, avoidance of complex and weird phrases, clarity and straightforwardness, use of words that fit the meaning, use of beautiful words in the proper context, and proper rhythm. He used to forbid poets to lampoon others or say anything that went against the aims of shari'ah. He would use different methods of disciplining them. For example, he bought the honour of the Muslims by paying al-Ḥuṭay'ah three thousand *dirhams* (to stop composing verse that offended the Muslims).

I also discuss the development of construction and crisis management during the time of 'Umar. He took an interest in roads and means of transportation on land and sea. He established border posts and cities as military bases and centres of civilization. I discuss the establishment of major cities, such as Baṣra, Koofah, al-Fusṭâṭ and Sirt, at the time of 'Umar, as well as the military and economic considerations which he took into account when establishing cities.

I also discuss the methods followed by 'Umar when he was faced with the Year of ar-Ramâdah (a year of famine), and how he himself set an example for the people and sought the help of Allah. I describe the refugee camps that he set up during that year, and how he

asked the people of other regions for aid, how he prayed for rain, and some of the cases of ijtihad that came up during the year of ar-Ramâdah, such as the suspension of the *ḥadd* punishment for stealing, and the postponement of paying zakah during that year.

I also describe the year of the plague, and how 'Umar dealt with this epidemic, which led to the death of the senior commanders of the Muslim army in Syria. More than twenty thousand Muslims died of the plague and things went out of control because their estates were not being distributed. 'Umar went to Syria and distributed provisions, and set up troops to patrol the border during the winter and the summer. He protected the borders of Syria, appointed governors and organized the affairs of the army, commanders and common folk, and distributed the estates of the dead among the living.

I explain the role that 'Umar played in the development of financial and judiciary institutions. I speak of the financial institutions and the sources of the state's income at the time of 'Umar (ﷺ), such as zakah, *jizyah*, *kharâj*, *'ushoor* and booty. I discuss the *bayt al-mâl* (treasury) of the Muslims and the establishment of ministries, the expenditure of the state at the time of 'Umar, his ijtihad concerning *ard al-kharâj* (conquered land) and his issuing an Islamic currency. I describe the role that 'Umar played in the development of judiciary institutions, the most important letters that 'Umar sent to judges, how he appointed judges, their salaries, qualifications and duties, the sources of judiciary rulings, the evidence followed by judges, and the rulings passed by 'Umar on the basis of ijtihad, such as his ruling on forging the official seal of the state, on the man who stole from the *bayt al-mâl* in Koofah, the man who was unaware that *zinâ* is *ḥarâm*, and other rulings. I also discuss 'Umar's fiqh in dealing with governors, and I mention the regions of the Islamic state at the time of 'Umar and the names of the governors

of those regions at his time. And I describe the most important guidelines followed by 'Umar in appointing governors, the conditions that he stipulated for them, the characteristics of 'Umar's governors, the rights and duties of the governors, how 'Umar checked on the governors and brought them to account, how he handled complaints from the people against governors, and the kinds of punishment that he carried out on governors. I also tell the story of how he dismissed Khâlid ibn al-Waleed (ﷺ) on two occasions, the main reasons for dismissing him, the attitude of the Muslim society towards this dismissal, the reaction of Khâlid ibn al-Waleed to this decision, and what he said about 'Umar when he was on his deathbed.

I also describe the conquests of Iraq, Iran, Syria, Egypt and Libya during the time of 'Umar, and the lessons that we can learn from these conquests. I shed some light on the correspondence that took place between 'Umar and the leaders of his army, from which may be derived educational material which deals with directing people and establishing states, guiding societies and leaders, and the art of war. From the letters of 'Umar to the commanders I have also derived information on duties owed to Allah, such as being steadfast when facing the enemy, fighting them with the intention of supporting the religion of Allah and fulfilling the trust, and not being biased when supporting the religion of Allah. I also derived information on duties owed to commanders, such as always obeying them and following their commands; and the duties owed to soldiers, such as checking on them, being kind to them during campaigns, encouraging them to fight, etc.

I also discuss the relationship between 'Umar and kings of other lands, the results of 'Umar's conquests, and the final days of his life, and his concept of meeting Allah, which dominated his thoughts and became deeply rooted in his heart from the time he became

Muslim until he was martyred. In this book, I try to explain how 'Umar understood Islam and how he lived in this world, and how he influenced the course of events during his lifetime. I discuss the various aspects of his personality, political, military, administrative and judicial, and his life in society when he was one of the ordinary people and after he was appointed as caliph after the death of Abu Bakr. I also focus on his role in the development of financial, judicial, administrative and military institutions.

This book proves the greatness of 'Umar and confirms to the reader that his faith, knowledge, intellect, eloquence, attitude and influence were all great. 'Umar represented greatness in all its aspects, and his greatness was based on his understanding and application of Islam and his strong relationship with Allah and his following the guidance of the Messenger (ﷺ).

'Umar was a leader who guided people in the right direction and whose example was followed by others in word and deed. His life is one of the soundest sources of faith, motivation and correct understanding of Islam. How great is the Muslim ummah's need for men of sound caliber who follow the example of the noble *Ṣaḥâbah* (Companions of the last Prophet) and embody the sublime teachings of Islam, bringing it to life by means of sacrifices that the people can see. The history of the Rightly Guided Caliphs and the noble *Ṣaḥâbah* is a constant reminder to the ummah through all generations, and the way to benefit from this reminder is for great people of the modern age to follow the example of these great leaders and put it into practice in modern circumstances so that no one will think that these lessons were only suited to a certain age and that to repeat this achievement requires an environment similar to theirs. The facts indicate that every time the motivation of faith and the concept of meeting Allah grows stronger, and the Muslims become keener to base their actions on these ideas, then Allah, the Exalted,

Almighty, grants victory to His close friends and directs circumstances to serve their interests.

I have striven to study the personality and era of 'Umar to the best of my ability, without claiming to be infallible or free from error. I seek nothing but the pleasure and reward of Allah, and He is the One Whose help I seek to achieve that. I ask Him to make this book of benefit, for He is the One with the most sublime names and the One Who hears all prayers.

I completed this book on Wednesday 13 Ramaḍân 1422 A.H. / 28 November 2001, at 7.05 a.m. All praise be to Allah, first and last. I ask Him, may He be glorified and exalted, to accept this work, to open people's hearts that they might benefit from it, and to bless it by His generosity and bounty. Allah (ﷻ) says:

﴿Whatever of mercy [i.e. of good], Allah may grant to mankind, none can withhold it; and whatever He may withhold, none can grant it thereafter. And He is the All-Mighty, the All-Wise.﴾ *(Qur'an 35: 2)*

In conclusion, I can only stand before Allah with a humble heart, acknowledging His bounty, kindness and grace, for He is the most Generous, the Helper, the Source of strength. To Him be praise for the blessings that He has bestowed upon me. I ask Him by His most beautiful names and His sublime attributes to make my effort solely for His sake and to make it of benefit to His slaves. May He grant me reward for every letter I have written and add them to the balance of my good deeds. May He reward my brothers who helped me as much as they could to complete this humble effort. I hope that every Muslim who reads this book will not forget to make *du'â'* for the slave who is in need of his Lord's forgiveness, mercy and pleasure. Allah says:

﴿... My Lord! Grant me the power and ability that I may be grateful

for Your Favours which You have bestowed on me and on my parents, and that I may do righteous good deeds that will please You, and admit me by Your Mercy among Your righteous slaves.﴾

(Qur'an 27: 19)

Glory and praise be to You, O' Allah. I bear witness that there is no god but You, I seek Your forgiveness and I repent to You. And the end of our supplication is: "Praise be to Allah, the Lord of the Worlds."

'Ali Muhammad as-Sallâbi

CHAPTER ONE
'Umar (ﷺ) in Makkah

1. His name, Lineage, Nicknames, Physical Attributes, and Family, and his Life during the *Jâhiliyah*

1.1. His name, lineage and nicknames

His full name was 'Umar ibn al-Khaṭṭâb ibn Nufayl ibn 'Abdul-'Uzza ibn Riyâḥ ibn 'Abdullâh ibn Quruṭ ibn Razâḥ ibn 'Adiyy ibn Ka'b ibn Lu'ayy[1] ibn Ghâlib al-Qurashi al-'Adawi.[2] His lineage converges with that of the Messenger of Allah (ﷺ) in Ka'b ibn Lu'ayy ibn Ghâlib.[3] He was known as Abu Ḥafṣ[4] and earned the nickname of al-Fârooq (the Criterion)[5] because he showed his Islam openly in Makkah and through him Allah distinguished (*farraqa*) between disbelief and faith.[6]

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[1] *Aṭ-Ṭabaqât al-Kubra* by Ibn Sa'd, 3/265; *Maḥḍ aṣ-Ṣawâb* by Ibn 'Abdul-Hâdi, 1/131.

[2] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 1/131.

[3] Ibid., 1/131.

[4] *Ṣaḥeeḥ at-Tawtheeq fee Seerah wa Ḥayât al-Fârooq 'Umar ibn al-Khaṭṭâb*, p. 15.

[5] Ibid.

[6] Ibid.

1.2. His birth and physical characteristics

'Umar was born thirteen years after the Year of the Elephant.[7] With regard to his physical characteristics, he was white with a reddish complexion, with handsome cheeks, nose and eyes, and large hands and feet. He was muscular, tall, solid and bald. He was taller than average, as if he was riding on a mount. He was very strong, not weak or puny.[8] He used to dye his hair with henna and the ends of his moustache were long.[9] When he walked, he walked quickly, when he spoke, he spoke clearly, and when he struck, he caused pain.[10]

1.3. His family

His father was al-Khaṭṭâb ibn Nufayl. 'Umar's grandfather Nufayl ibn 'Abdul-'Uzza was one of those to whom Quraysh used to refer for judgement.[11] His mother was Ḥantamah bint Hâshim ibn al-Mugheerah, and it was said that she was the daughter of Hâshim and the sister of Abu Jahl.[12] The view of most historians is that she was the daughter of Hâshim and the paternal cousin of Abu Jahl ibn Hishâm.[13]

With regard to his wives, sons and daughters: During the *Jâhiliyah*, he married Zaynab bint Madh'oon, the sister of 'Uthmân ibn Madh'oon, and she bore him 'Abdullâh, 'Abdur-Raḥmân the

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[7] *Târeekh al-Khulafa'* by as-Suyooṭi, p. 133.

[8] *Al-Khaleefah al-Fârooq 'Umar ibn al-Khaṭṭâb* by al-'Âni, p. 15.

[9] If he was angry or upset he would take hold of them and twist them.

[10] *Tahdheeb al-Asmâ'* by an-Nawawi, 2/14; *Awwaliyât al-Fârooq* by al-Qurashi, p. 24.

[11] *Nasab Quraysh* by az-Zubayri, p. 347.

[12] *Awwaliyât al-Fârooq* by al-Qurashi, p. 22.

[13] Ibid.

elder and Ḥafṣah. And he married Maleekah bint Jarwal, who bore him 'Ubaydullâh. He divorced her at al-Ḥudaybiyah, and after that she married Abu al-Jahm ibn Hudhayfah. And he married Quraybah bint Abi Umayyah al-Makhzoomi, and divorced her at al-Ḥudaybiyah; after that she married 'Abdur-Raḥmân ibn Abi Bakr. And he married Umm Ḥakeem bint al-Ḥârith ibn Hishâm, after her husband 'Ikrimah ibn Abi Jahl was killed in Syria.[14] She bore him Fâṭimah, then he divorced her; and it was said that he did not divorce her.[15] And he married Jameelah[16] bint 'Âṣim ibn Thâbit ibn Abi al-Aqlaḥ of al-Aws. And he married 'Âtikah bint Zayd ibn 'Amr ibn Nufayl, who had previously been married to 'Abdullâh ibn Abi Bakr.[17] When 'Umar was killed, az-Zubayr ibn al-'Awwâm (ﷺ) married her and it was said that she was the mother of his son 'Iyâḍ. And Allah knows best.

He proposed marriage to Umm Kulthoom, the daughter of Abu Bakr aṣ-Ṣiddeeq, when she was still young. He spoke to 'Â'ishah (ﷺ) concerning her, but Umm Kulthoom said: "I have no need of him." 'Â'ishah asked, "Are you rejecting the *Ameer al-Mu'mineen*?" She said, "Yes, for he lives a rough life." 'Â'ishah sent word to 'Amr ibn al-'Âṣ, who told 'Umar not to marry her and suggested instead that he marry Umm Kulthoom bint 'Ali ibn Abi Ṭâlib, whose mother was Fâṭimah, the daughter of the Messenger of Allah (ﷺ), so she was descended from the Messenger of Allah (ﷺ). So he asked 'Ali for her hand in marriage, and he married her to him. 'Umar gave her a dowry of forty thousand. She bore him Zayd and Ruqayyah.[18] And he

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[14] *Al-Bidâyah wa an-Nihâyah*, 7/144.
[15] Ibid.
[16] *Tarteeb wa Tahdheeb al-Bidâyah wa an-Nihâyah Khilâfat 'Umar* by as-Sulami, p. 7.
[17] Ibid.
[18] *Al-Kâmil fee at-Târeekh*, 2/212.

married Luhyah — a woman from Yemen — who bore him 'Abdur-Rahmân the younger, and it was said, the middle one. Al-Wâqidi said: "She was an *umm walad* (a concubine who bore her master a child) and not a wife."[19] They said: "He also had a concubine call Fakeehah, who bore him Zaynab." Al-Wâqidi said: "She was the youngest of his children."[20]

The total number of his children was thirteen. Their names were: Zayd the elder, Zayd the younger, 'Âṣim, 'Abdullâh, 'Abdur-Raḥmân the elder, 'Abdur-Raḥmân the middle one, 'Abdur-Raḥmân the younger, 'Ubaydullâh, 'Iyâḍ, Ḥafṣah, Ruqayyah, Zaynab and Fâṭimah (may Allah be pleased with them all). The total number of his wives whom he married during the *Jâhiliyah* and in Islam, whom he divorced or died and left behind, was seven.[21] 'Umar married in order to produce offspring and have many children. He said: "I do not come to women because of desire. Were it not for children, I would not care if I never saw a woman with my own eyes."[22] And he said: "I force myself to have intercourse, hoping that Allah will bring forth from me a soul who will glorify and remember Him."[23]

1.4. His life during the *Jâhiliyah*

'Umar spent half of his life in the *Jâhiliyah*, and grew up like his peers of Quraysh, except that he had an advantage over them in that he was one of those who had learned to read, of whom there were very few.[24] He bore responsibility at an early age, and had a very

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[19] *Târeekh al-Umam wa al-Mulook* by aṭ-Ṭabari, 5/191.

[20] Ibid, 5/192.

[21] *Al-Bidâyah wa an-Nihâyah*, 7/144.

[22] *Ash-Shaykhân Abu Bakr wa 'Umar*, ed. Dr. Iḥsân Ṣadaqi, p. 227.

[23] *Fawâ'id al-Kalâm li'l-Khulafa' al-Karâm* by Qâsim 'Âshoor, p. 112

[24] *Al-Idârah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, by Fârooq al-=

harsh upbringing in which he knew no type of luxury or manifestation of wealth. His father al-Khaṭṭâb forced him to tend his camels. His father's harsh treatment had a negative effect on 'Umar which he remembered all his life. 'Abdur-Raḥmân ibn Ḥâṭib spoke of that and said: "I was with 'Umar ibn al-Khaṭṭâb in Ḍajnân[25] and he said, 'I used to tend (livestock) for al-Khaṭṭâb in this place, and he was very harsh. Sometimes I would tend (the livestock) and sometimes I would gather firewood.' "[26]

This was a period of hardship during 'Umar's life, and he would often remember it. Sa'd ibn al-Musayyab tells us: " 'Umar (ﷺ) went for Ḥajj, and when he was in Ḍajnân he said, 'There is no god but Allah, the Most High, the Most Great, the One Who gives whatever He wills to whomever He wills. I used to tend the camels of al-Khaṭṭâb in this valley, wearing a woollen garment. He was harsh; he would exhaust me when I worked and beat me if I fell short. And now here I am, with no one between me and Allah.' "

The son of al-Khaṭṭâb did not tend livestock for his father only; rather he used to tend the livestock of his maternal aunts of Banu Makhzoom. This was narrated to us from 'Umar himself, when he was pondering one day the fact that he had become the caliph, so who could be better than him? In order to remind himself of what he was — as he thought — he stood before the Muslims and announced that he was no more than a shepherd, who used to tend the flocks of his maternal aunts of Banu Makhzoom. Muhammad ibn 'Umar al-Makhzoomi narrated that his father said: " 'Umar ibn al-Khaṭṭâb (ﷺ) called out that prayer was about to begin, and when the people had

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=Majdalâwi, p. 90.

[25] Ḍajnân is a mountain some distance from Makkah. It was said that it is 25 km away.

[26] Narrated by Ibn 'Asâkir in his *Târeekh*, 52/268; *Ḥalaqât ibn Sa'd*, 3/266. Dr. 'Âṭif Lamâḍah said: its isnad is *ṣaḥeeḥ*.

gathered and said *takbeer*, he ascended the *minbar* and praised and glorified Allah as He deserves, and sent blessings and peace upon His Prophet, then he said: "O' people, I remember when I used to tend the flocks of my maternal aunts of Banu Makhzoom, and they would give me a handful of dates or raisins, which would be sufficient for the day, and what a day that was!"

Then he came down, and 'Abdur-Raḥmân ibn 'Awf said to him: "O' *Ameer al-Mu'mineen*, all you did was to denigrate yourself." He said, "Woe to you, O' son of 'Awf! I was alone and I started to think. I said to myself, 'You are the caliph, who is better than you?' So I wanted to remind myself of what I am." According to another report: "I noticed something in myself, and I wanted to bring myself down a rung or two."[27]

Undoubtedly this job — tending livestock — which was the constant work of 'Umar in Makkah, before he entered Islam, caused him to acquire good characteristics, such as forbearance, patience and toughness. But tending sheep was not the only work that the son of al-Khaṭṭâb did during the *Jâhiliyah*.[28] From his early youth he also excelled in all kinds of sports, such as wrestling, riding and horsemanship. He enjoyed and narrated poetry[29], and he was interested in the history and affairs of his people. He was keen to attend the great fairs of the Arabs, such as 'Ukâz, Mijannah and Dhu al-Majâz, where he would make the most of the opportunity to engage in trade and learn the history of the Arabs, and the battles and contests that had taken place among the tribes. These events were discussed in a literary fashion by the masters of eloquence before the

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[27] *Aṭ-Ṭabaqât al-Kubra* by Ibn Sa'd, 3/293; there are corroborating reports which strengthen it.

[28] *Al-Fârooq ma'a an-Nabi*, p. 6.

[29] *At-Târeekh al-Islâmi al-'Âm*, by 'Ali Ḥasan Ibrâheem, p. 226; *al-Idârah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, p. 90.

prominent figures of the tribes, which meant that Arab history was constantly being discussed and was unlikely to be forgotten. Sometimes these literary contests would spark wars, and 'Ukâz itself was a direct cause of four wars which were known as the wars of al-Fijâr.[30]

'Umar engaged in trade and profited, which made him one of the rich men of Makkah. He became acquainted with many people in the lands that he visited for the purpose of trade. He travelled to Syria in the summer and Yemen in the winter.[31] He occupied a prominent position in Makkan society during the *Jâhiliyah*, and played an effective role in shaping events. He was helped by the outstanding history of his forefathers. His grandfather Nufayl ibn 'Abdul-'Uzza was one to whom Quraysh referred their disputes for judgement[32] and his ancestor Ka'b ibn Lu'ayy was held in high esteem by the Arabs. They had recorded their history from the year of his death until the Year of the Elephant.[33] 'Umar inherited this status from his forefathers which brought him a great deal of knowledge about the life and circumstances of the Arabs, in addition to his own smartness and intelligence. So they would come to him to resolve their disputes. Ibn Sa'd said: " 'Umar used to judge between the Arabs regarding their disputes before Islam."[34]

'Umar (ﷺ) was wise, eloquent, well spoken, strong, forbearing, noble, persuasive and clear of speech, which made him qualified to be an ambassador for Quraysh, to speak up for them

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[30] *'Umar ibn al-Khaṭṭâb: Ḥayâtuhu, 'Ilmuhu, Adabuhu*, by Dr. 'Ali Aḥmad al-Khaṭeeb, p. 153.

[31] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Aḥmad Abu an-Naṣr, p. 17.

[32] *Al-Khaleefah al-Fârooq 'Umar ibn al-Khaṭṭâb*, by Dr. al-'Âni, p. 16

[33] *Târeekh Khaleefah ibn Khayyâṭ*, Pp. 1/7, quoting from Dr. al-'Âni, p. 16.

[34] *Al-Khaleefah al-Fârooq* by Dr. al-'Âni, p. 16.

before the other tribes.[35] Ibn al-Jawzi said: "The role of ambassador fell to 'Umar ibn al-Khaṭṭâb. If there was a war between Quraysh and another tribe, they would send him as an ambassador, and if another tribe was boasting against them, they would send him to respond in kind, and they were pleased with him."[36]

He used to defend all the traditions, acts of worship and systems to which Quraysh were accustomed. His nature was one of sincerity which led him to defend all that he believed in to the bitter end. So 'Umar resisted Islam in the beginning, because he feared that this new religion would shake the system that was well established in Makkah and which gave Makkah a special status among the Arabs. For it was the location of the House to which people came on pilgrimage, which gave Quraysh a unique status among the Arabs, and brought spiritual and material wealth to Makkah. This was the reason for the city's prosperity and its people's wealth. So the rich men of Makkah resisted this religion and persecuted the weak among its converts, and 'Umar was at the forefront of those who persecuted these weak ones.[37]

He kept on beating a slave woman who had become Muslim, until his arms grew tired and the whip fell from his hand, then he stopped to rest. Abu Bakr passed by and saw how the slave woman was being tortured, so he bought her from him and set her free.[38]

'Umar lived during the *Jâhiliyah* and knew it inside out. He knew its true nature, its customs and traditions, and he defended it with all the strength he possessed. Hence when he entered Islam, he understood its beauty and true nature, and he understood the great

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[35] Op.cit.

[36] *Manâqib 'Umar*, p. 11.

[37] *Al-Fârooq 'Umar*, by 'Abdur-Raḥmân ash-Sharqâwi, p. 8.

[38] Ibid.

difference between guidance and misguidance, disbelief (*kufr*) and faith, truth and falsehood, and he spoke the famous words: "The bonds of Islam will be undone one by one when there will be a generation brought up in Islam who do not know what *Jâhiliyah* is."[39]

2. His Becoming Muslim and Migrating

2.1. His becoming Muslim

The first ray of the light of faith that touched his heart came on the day when he saw the women of Quraysh leaving their homeland and travelling to a distant land because of the persecution that they were facing from him and others like him. His conscience was stirred; he felt remorse and pity for them, and he spoke kind words to them which they had never expected to hear from someone like him.[40]

Umm 'Abdullâh bint Ḥantamah said: "When we were travelling, migrating to Abyssinia, 'Umar, who used to persecute us mercilessly, came and stood over me and said to me, 'Are you leaving, O' Umm 'Abdullâh?' I said, 'Yes, you have persecuted us and oppressed us, and by Allah we are going out in the land of Allah until Allah grants us a way out.' 'Umar said, 'May Allah be with you.' And I saw kindness in him that I had never seen before. When 'Âmir ibn Rabee'ah, who had gone out on some errand, came, I told him about that and he asked, 'It seems that you hope 'Umar will become Muslim?' I said, 'Yes.' He said, 'He will not become Muslim

[39] *Al-Fatâwa*, 15/36; *Farâ'id al-Kalâm li'l-Khulafa' al-Karâm*, p. 144.

[40] *Aṭ-Ṭanṭâwiyât*, p. 12.

until al-Khaṭṭâb's donkey becomes Muslim!' "[41]

'Umar was moved by this woman's attitude and he felt distressed. How much suffering the followers of this new religion were putting up with, but despite that they were standing firm. What was the secret behind this extraordinary strength? He felt sad and his heart was filled with pain.[42]

Shortly after this incident, 'Umar became Muslim because of the *du'â'* of the Messenger of Allah (ﷺ), which was the main reason for his becoming Muslim. He had prayed for him, saying: «O' Allah, support Islam with the more beloved of these two men to You: Abu Jahl ibn Hishâm or 'Umar ibn al-Khaṭṭâb.» And the more beloved of them to Him was 'Umar.[43] Allah created the circumstances that led 'Umar to Islam. It was narrated that 'Abdullâh ibn 'Umar (رضي الله عنه) said:

"I never heard 'Umar saying about something that he thought it would be so-and-so, but it turned out as he said. Once, while 'Umar was sitting, a handsome man passed by him, 'Umar said, 'If I am not mistaken, this man is still following the religion of *Jâhiliyah*, or he was their soothsayer. Call the man to me.' When the man was called to him, he told him what he was thinking. The man said, 'I have never seen a day such as this, on which a Muslim is faced with such an accusation.' 'Umar said, 'I am determined that you should tell me the truth.' He said, 'I was a soothsayer during the *Jâhiliyah*.' 'Umar said, 'What was the most astonishing thing that your female Jinn told you of?' He said, 'One day while I was in the market, she came to me scared and said, 'Haven't you seen the Jinns and their despair, and

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[41] *Seerat Ibn Hishâm*, 1/216; *Faḍâ'il aṣ-Ṣaḥâbah* by Imam Aḥmad, 1/341, with a *ḥasan* isnad.

[42] *Al-Fârooq 'Umar*, p. 9.

[43] Tirmidhi, 3682, *al-Manâqib*, classed as *ḥasan* by Shaykh al-Albâni in *Ṣaḥeeḥ at-Tirmidhi*, hadith no. 2907.

they were overthrown after their defeat (and prevented from listening to the news from heaven) so that they (stopped going to heaven and) kept following the camel-riders (i.e. the Arabs)?'' 'Umar said, 'He is speaking the truth. One day while I was sleeping near their idols, a man brought a calf and sacrificed it (to the idols). An (unseen) creature shouted at him, and I have never heard anything harsher than his voice. He was crying, 'O' you bold evil-doer! A matter of success!' An eloquent man is saying, 'There is no god but Allah.' Shortly thereafter it was said that a Prophet had appeared.' "[44]

Many reports have been narrated concerning the reason why 'Umar (ﷺ) became Muslim, but when we examine their isnads according to the standards of the science of hadith, we see that most of them are not sound.[45] From the reports which are narrated in the books of *Seerah* and history we may divide the story of his becoming Muslim and his public announcement of his conversion into two topics, as follows:

2.1.1. His determination to kill the Messenger of Allah (ﷺ)

Quraysh met to discuss the matter of the Prophet (ﷺ). They said: "Who will kill Muhammad?" 'Umar ibn al-Khaṭṭâb said: "I will do it." They said: "You can do it, O' 'Umar!" So he went out at midday on a very hot day, with his sword by his side, looking for the Messenger of Allah (ﷺ) and a group of his Companions, namely Abu Bakr, 'Ali and Ḥamzah, among the Muslim men who had stayed with the Messenger of Allah (ﷺ) and had not migrated with those who migrated to Abyssinia. He was told that they had gathered in Dâr al-Arqam at the foot of aṣ-Ṣafa. He was met by Nu'aym ibn

[44] Narrated by Bukhari, 3866.

[45] *Ṣaḥeeḥ at-Tawtheeq fee Seerat wa Ḥayât al-Fârooq*, p. 23.

'Abdullâh an-Naḥḥâm who said: "Where are you headed, O' 'Umar?" He said: "I am looking for this *ṣâbi'* (this one who has changed his religion), who has divided Quraysh, insulted their intelligence, criticized their religion and slandered their gods. I am going to kill him." Nu'aym said to him: "What a bad course you have taken, O' 'Umar. By Allah, you are fooling yourself, and have become careless, and you are going to be the cause of Banu 'Adiyy's doom. Do you think that Banu 'Abd Manâf will leave you walking on the face of the earth after you kill Muhammad?" They argued until their voices became loud, then 'Umar said: "I think that you have changed your religion (i.e., become Muslim). If I find that to be true, I will start with you." When an-Naḥḥâm realized that he could not stop him, he said: "I tell you that your family and the family of your brother-in-law have become Muslim and have forsaken you and the misguidance that you follow." When he heard what he said, he asked, "Which of them?" He said, "Your brother-in-law, your paternal cousin and your sister."[46]

2.1.2. Umar's raid on his sister's house and the steadfastness of Fâṭimah bint al-Khaṭṭâb before her brother

When 'Umar heard that his sister and her husband had become Muslim, anger overtook him and he went to them. When he knocked at the door they said, "Who is it?" He said, "The son of al-Khaṭṭâb." They were reading a paper that was in their hands, but when they realized that 'Umar was there, they rushed to hide and they left the paper where it was. When he came in and his sister saw him, she recognized the evil intent that was on his face, so she hid the paper

[46] *Seerat Ibn Hishâm*, 1/343, from al-Qâsim ibn 'Uthmân al-Baṣri from Anas, but al-Qâsim is *ḍa'eef* (weak).

beneath her leg. He said: "What is this muttering and whispering that I heard in your house?" For they had been reading *Soorah Ṭa-Hâ*. They said: "We were just talking amongst ourselves." He said: "Perhaps you have changed your religion?" His brother-in-law said: "O' 'Umar, what if the truth were in something other than your religion?" 'Umar attacked his brother-in-law Sa'eed, pulling his beard, and they wrestled. 'Umar was very strong, and he threw Sa'eed to the ground and jumped on him, then sat on his chest. His sister came to her husband's defence, but he pushed her away with his hand, and her face started to bleed. She said angrily: "O' enemy of Allah, are you hitting me because I believe in Allah alone?" He said, "Yes." She said: "Do what you like. I bear witness that there is no god except Allah and that Muhammad is the Messenger of Allah. We have become Muslim whether you like it or not." When 'Umar heard that, he regretted what he had done. He got up off his brother-in-law and sat down, then he said, "Give me this paper that you have." She said: "I will not do that." He said, "Woe to you! What you said moved me. Give it to me so that I may look at it. I give you my solemn word that I will not betray you; you can take it back and put it wherever you want." She said: "You are unclean, and ﴿... none can touch [it] but the purified﴾ *(Qur'an 56: 79)*. Get up and wash yourself." So 'Umar went out and washed himself, then he came back to his sister and she gave the paper to him, on which was written *Soorah Ṭa-Hâ* and some other *soorahs*. He saw on it the words, *Bismillâh ir-Raḥmân ir-Raḥeem* (in the name of Allah, the Most Gracious, the Most Merciful). When he read the words *ar-Raḥmân ar-Raḥeem*, he was alarmed and threw the page down, then he regained control of himself, picked it up again, and saw the words:

﴿*Ṭa-Hâ* [These letters are one of the miracles of the Qur'an, and none but Allah (Alone) knows their meanings.]. We have not sent down the Qur'an unto you [O' Muhammad] to cause you distress, but only

as a Reminder to those who fear [Allah]. A Revelation from Him [Allah] Who has created the earth and high heavens. The Most Gracious [Allah] rose over [*Istawâ*] the [Mighty] Throne [in a manner that suits His Majesty]. To Him belongs all that is in the heavens and all that is on the earth, and all that is between them, and all that is under the soil. And if you [O' Muhammad] speak [the invocation] aloud, then verily, He knows the secret and that which is yet more hidden. Allah! *Lâ ilâha illa Huwa* [none has the right to be worshipped but He]! To Him belong the Best Names.﴾

(Qur'an 20: 1-8)

He felt great respect for it and said: "Is this what Quraysh is running from?" Then he read some more, and when he reached the words,

﴿Verily, I am Allah! *Lâ ilâha illa Ana* [none has the right to be worshipped but I], so worship Me, and perform *aṣ-Ṣalâh* [*Iqâmat aṣ-Ṣalâh*] for My remembrance. Verily, the Hour is coming — and I am almost hiding it — that every person may be rewarded for that which he strives. Therefore, let not the one who believes not therein [i.e. in the Day of Resurrection, Reckoning, Paradise and Hell], but follows his own lusts, divert you therefrom, lest you perish.﴾

(Qur'an 20: 14-16)

— he said, "The One Who says this, no one should be worshipped other than Him. Tell me where Muhammad is."[47]

2.1.3. 'Umar goes to the Messenger of Allah (ﷺ) and declares his Islam

When Khabbâb (رضي الله عنه) heard that, he came out of the house — where he had been hiding — and said: "Be of good cheer, O' 'Umar,

[47] *Faḍâ'il aṣ-Ṣaḥâbah* by Imam Aḥmad, 1/344.

for I hope that this is the answer to the *du'â'* of the Messenger of Allah (ﷺ) which he spoke on Monday: «O' Allah, support Islam with the one of these two men who is more beloved to You: Abu Jahl ibn Hishâm or 'Umar ibn al-Khaṭṭâb.»"[48]

He said: "Tell me where the Messenger of Allah is." When they realized that he was sincere, they said: "He is at the foot of aṣ-Ṣafa." 'Umar took his sword and carried it by his side, then he went to where the Messenger of Allah (ﷺ) and his Companions were and knocked at the door. When they heard his voice they got scared, and no one dared to open the door to him, because they knew of his harsh views concerning the Messenger of Allah (ﷺ). When Ḥamzah saw that the people were scared, he said, "What is the matter with you?" They said: "It is 'Umar ibn al-Khaṭṭâb." He said: "Umar ibn al-Khaṭṭâb? Open the door for him! If Allah wants good for him, he will become Muslim, and if He wants something other than that, then it will be easy for us to kill him." So they opened the door, and Ḥamzah and another man took hold of 'Umar's arms and brought him in to the Messenger of Allah (ﷺ), who said: «Let him go.[49] The Messenger of Allah (ﷺ) stood up, took hold of the knots of his lower and upper garments, pulled him harshly and said, "What brings you here, O' son of al-Khaṭṭâb? By Allah, I don't think you are going to stop until Allah sends down calamity upon you." 'Umar said to him, "O' Messenger of Allah, I have come believing in Allah and His Messenger, and in that which you have brought from Allah." The Messenger of Allah (ﷺ) said, "*Allâhu Akbar,*" and the Companions of the Messenger of Allah in the house realized that 'Umar had become a Muslim. So the Companions of the Messenger of Allah (ﷺ) dispersed, feeling encouraged because 'Umar had become Muslim, as had Ḥamzah ibn 'Abdul-Muṭṭalib. They realized that

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[48] Quoted previously; *aṭ-Ṭanṭâwiyât,* p. 117.

[49] Ibid, p. 18.

these two would be able to protect the Messenger of Allah (ﷺ) and settle the scores with their enemies.»[50]

2.1.4. 'Umar's keenness to call people to Islam publicly and to put up with hardship for that purpose

'Umar entered Islam with deep sincerity, and he strove to support Islam with all the strength he had been given. He said to the Messenger of Allah (ﷺ): «"O' Messenger of Allah, are we not following the truth whether we live or die?" The Messenger of Allah (ﷺ) said, "Yes, indeed. By the One in Whose hand is my soul, you are following the truth, whether you live or die." He said: "So why should we hide? By the One Who sent you with the truth, you should go out (and preach openly)."» It seems that the Messenger of Allah (ﷺ) was also of the view that the time had come to preach his message openly, and that the *da'wah* had become strong enough to defend itself. So he gave permission to proclaim Islam openly. The Messenger of Allah (ﷺ) went out leading two columns, with 'Umar at the head of one and Ḥamzah at the head of the other, stirring up dust, until they entered the mosque. Quraysh looked at 'Umar and Ḥamzah, and felt distressed as never before. On that day the Messenger of Allah (ﷺ) named him al-Fârooq.[51]

Allah strengthened Islam and the Muslims by means of 'Umar's conversion. He was a man of power who did not worry about whatever was behind him. The companions of the Messenger of Allah (ﷺ) were protected by him and Ḥamzah.[52]

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[50] *Faḍâ'il aṣ-Ṣaḥâbah* by Imam Aḥmad, 1/344.

[51] *Ḥilyah al-Awliya'*, 1/40; *Ṣifat aṣ-Ṣafwah*, 1/103-104.

[52] *Al-Khaleefah al-Fârooq 'Umar ibn al-Khaṭṭâb*, Pp. 26, 27.

'Umar ibn al-Khaṭṭâb challenged the *mushrikeen* of Quraysh, and fought them until he was able to pray at the Ka'bah[53], and the Muslims prayed with him. 'Umar was keen to annoy the enemies of Islam as much as he could. He himself told the story of that, as he said:

"I used not to be able to bear to see a Muslim man. I went to my maternal uncle Abu Jahl — who was of noble status among them — and knocked at his door. He said, 'Who is it?' I said, 'The son of al-Khaṭṭâb.' He came out to me, and I said, 'Have you heard that I have changed my religion?' He said, 'Have you?' I said, 'Yes.' He said, 'Don't do that.' I said, 'Yes, (I have done it).' He said, 'Don't do that,' then he went inside and slammed the door in my face and left me there. I said, 'It doesn't matter.' Then I went to one of the noblemen of Quraysh and knocked at his door. He said, 'Who is it?' I said, 'The son of al-Khaṭṭâb.' He came out to me, and I said, 'Do you realize that I have changed my religion?' He said, 'Have you?' I said, 'Yes.' He said, 'Don't do that.' Then he went inside and slammed the door in my face. I said, 'It doesn't matter.' A man said to me, 'Do you want people to know about your becoming Muslim?' I said, 'Yes.' He said, 'When the people gather in al-Ḥijr, you should go to this man — Jameel ibn Mu'ammar al-Jumahi — sit beside him, and say, 'Do you know that I have changed my religion?' So I did that, and he stood up and shouted at the top of his voice, 'The son of al-Khaṭṭâb has changed his religion!' The people jumped on me and started hitting me, and I was hitting them back."[54]

According to a report narrated by 'Abdullâh ibn 'Umar (ﷺ): When 'Umar became Muslim, Quraysh did not know of that. He said: "Who among the people of Makkah is most likely to tell others

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[53] *Ar-Riyâḍ an-Naḍrah* by Muḥibb aṭ-Ṭabari, 1/257.

[54] *Sharḥ al-Mawâhib*, 1/320; *aṭ-Ṭanṭâwiyât*, p. 19.

of what he hears?" It was said to him: "Jameel ibn Mu'ammar al-Jumahi." So he went out to him, and I followed him to see what he was doing. I was a young boy but I understood everything I saw and heard. He went to him and said, "O' Jameel, I have become Muslim." By Allah, he did not answer him, but he got up, dragging his garment, and 'Umar followed him and I followed my father. He went and stood at the door of the mosque and yelled at the top of his voice: "O' Quraysh!" — for they were gathered around the Ka'bah — " 'Umar ibn al-Khaṭṭâb has apostatized!" 'Umar said from behind him, "He is lying. Rather I have become Muslim and I bear witness that there is no god but Allah and that Muhammad is His slave and Messenger." They attacked him, but 'Umar leapt on 'Utbah ibn Rabee'ah and sat on him; he started to beat him and poke his fingers in his eyes, and 'Utbah started screaming. Then the people kept away from him. 'Umar stood up and went around to all the places where he used to sit with people when he had been a disbeliever, and openly declared his Islam.[55] He kept fighting them until the sun reached its zenith, and 'Umar got tired and sat down. They gathered around him and he said: "What do you want?" Whilst they were like that, there came a man who was wearing a silken *ḥullah* (suit) and an embroidered shirt. He said: "What is the matter with you?" They said: "The son of al-Khaṭṭâb has changed his religion." He said: "So what? A man can chose a religion for himself. Do you think that Banu 'Adiyy will let you get away with it if you kill their companion?" So they dispersed. I [Ibn 'Umar] said to him in Madeenah: "O' my father, who was the man who turned the people back from you that day?" He said: "O' my son, that was al-'Âṣ ibn Wâ'il as-Sahmi."[56]

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[55] *Ar-Riyâḍ an-Naḍrah*, p. 319.

[56] *Faḍâ'il aṣ-Ṣaḥâbah* by Imam Aḥmad, 1/346. Its isnad is *ḥasan*.

2.1.5. The effect of his becoming Muslim on the *da'wah*

'Abdullâh ibn Mas'ood said: "We felt a sense of pride when 'Umar became Muslim, for we could not circumambulate the House and pray, until 'Umar became Muslim. When he became Muslim, he fought them until they left us alone. Then we prayed and circumambulated the Ka'bah."[57] He also said, " 'Umar's becoming Muslim was a victory, his migration was help, and his caliphate was a mercy. We could not pray or circumambulate the House until 'Umar became Muslim. When he became Muslim, he fought them until they left us alone and let us pray."[58]

Ṣuhayb ibn Sinân said: "When 'Umar ibn al-Khaṭṭâb became Muslim, Islam came out into the open and the call to Islam was made in public. We sat around the Ka'bah in circles, and we circumambulated the House and settled our scores with those who had persecuted us. We started to hit back."[59]

2.1.6. The date when 'Umar became Muslim, and the number of Muslims at the time of his conversion

'Umar became Muslim in *Dhu al-Ḥijjah* of the sixth year of the Prophethood, when he was twenty-seven years old.[60] He became Muslim three days after Ḥamzah.[61] At that time the Muslims numbered thirty-nine. 'Umar said: "I remember that when I became Muslim, there were just thirty-nine men with the Messenger of Allah (ﷺ), and I brought the number to forty." Thus Allah caused His religion to prevail and granted glory to Islam.

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[57] *Faḍâ'il aṣ-Ṣaḥâbah*, 1/344. Its isnad is *ḥasan*.

[58] *Ash-Shaykhân Abu Bakr wa 'Umar*, p. 141.

[59] *Aṭ-Ṭabaqât al-Kubra*, 3/269; *Ṣifat aṣ-Ṣafwah*, 1/274.

[60] *Târeekh al-Khulafa'*, p. 137.

[61] *Aṭ-Ṭanṭâwiyât*, p. 22.

It was narrated that they numbered forty or forty-odd men and eleven women, but 'Umar did not know them all, because most of those who became Muslim concealed their Islam out of fear of the *mushrikeen*, especially 'Umar, for he was very harsh towards them. So he said that he brought the number to forty. He did not mention the women because they had no power and were weak.[62]

2.2. His migration (Hijrah)

When 'Umar decided to migrate to Madeenah, he insisted on doing so openly. Ibn 'Abbâs (ﷺ) said: " 'Ali ibn Abi Ṭâlib said to me, 'I do not know of any of the *Muhâjireen* who did not migrate in secret, except 'Umar ibn al-Khaṭṭâb. When he decided to migrate, he put on his sword, put his bow over his shoulder, picked up his arrows and carried his stick by his side. He went out to the Ka'bah, where a number of Quraysh were gathered in its courtyard, and circumambulated the House seven times, at a leisurely pace. Then he went to the *Maqâm* and prayed at a leisurely pace. Then he went to the circles of people, one by one, and said to them, 'May your faces become ugly! Allah will only rub these noses in the dust. Whoever wants his mother to be bereft of him and his children to become orphans or his wife to become a widow, let him meet me behind this valley.' 'Ali said, 'No one followed him except a few of those who were weak and oppressed. He taught them and told them about Islam, then he went on his way.' "[63]

'Umar went to Madeenah before the Messenger of Allah (ﷺ) did. He was accompanied by some of his family members and his people: his brother Zayd ibn al-Khaṭṭâb; 'Amr and 'Abdullâh the

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[62] Op. cit., p. 22.

[63] See *Ṣaḥeeḥ at-Tawtheeq fee Seerat al-Fârooq*, p. 30.

sons of Surâqah ibn al-Mu'tamir; Khunays ibn Ḥudhâfah as-Sahmi, the husband of his daughter Ḥafṣah; his paternal cousin Sa'eed ibn Zayd — who was one of the ten who were given the glad tidings of Paradise; Wâqid ibn 'Abdullâh at-Tameemi, one of their allies; Khawla ibn Abi Khawla and Mâlik ibn Abi Khawla — who were also allies of theirs from Banu 'Ajil and Banu al-Bukayr; and Iyâs, Khâlid, 'Âqil and 'Âmir, who were allies from Banu Sa'd ibn Layth. They stayed with Rifâ'ah ibn 'Abdul-Mundhir, among Banu 'Amr ibn 'Awf, in Quba'.[64]

Al-Bara' ibn 'Âzib (ﷺ) said: "The first ones who came to us were Muṣ'ab ibn 'Umayr and Ibn Abi Maktoom. They used to teach the people Qur'an. Then Bilâl, Sa'd and 'Ammâr ibn Yâsir came, then 'Umar ibn al-Khaṭṭâb came with twenty of the Companions of the Prophet (ﷺ). Then the Prophet (ﷺ) came, and I never saw the people of Madeenah rejoice over anything as much as they rejoiced over the Messenger of Allah (ﷺ)."[65]

Thus 'Umar ibn al-Khaṭṭâb continued to serve his faith in word and deed, never fearing the blame of the blamers for the sake of Allah (cf. Qur'an 5: 54). He offered support and help to those Muslims in Makkah who wanted to migrate, until he himself left, accompanied by this large number of his relatives and allies. 'Umar helped others among his companions who wanted to migrate, if he feared that they would be persecuted and would succumb.[66] 'Umar himself told the story:

"When we decided to migrate we — 'Ayyâsh ibn Abi Rabee'ah, Hishâm ibn al-'Âṣ ibn Wâ'il as-Sahmi, and I — agreed to meet at a

[64] *Fatḥ al-Bâri*, 7/261, quoting from *Ṣaḥeeḥ at-Tawtheeq*, p. 31.

[65] Bukhari, hadith no. 3925.

[66] *Ṣaḥeeḥ at-Tawtheeq fee Seerah wa Ḥayât al-Fârooq 'Umar ibn al-Khaṭṭâb*, p. 31.

stand of trees in an area called Adâ'at Bani Ghifâr[67], above (the valley of) Sarif.[68] We said, 'If one of us does not make it there, it means that something has prevented him, and his two companions should carry on.' 'Ayyâsh ibn Abi Rabee'ah and I met at the stand of trees, but Hishâm was not able to join us. He was put to trial and succumbed.[69] When we reached Madeenah, we stayed among Banu 'Amr ibn 'Awf in Quba'. Abu Jahl ibn Hishâm and al-Hârith ibn Hishâm came to see 'Ayyâsh ibn Abi Rabee'ah, who was their paternal cousin and their half-brother through their mother. They came to us in Madeenah when the Messenger of Allah (ﷺ) was still in Makkah. They spoke to us and said, 'Your mother has vowed that no comb will touch her head until she sees you, and she will not seek shade from the sun until she sees you.' He felt sorry for her, but I said to him, 'O' 'Ayyâsh, by Allah, all the people want to do is to lead you astray from your religion, so beware of them. By Allah, if lice bother your mother she will comb her hair, and if the heat of Makkah becomes unbearable for her she will seek shade.' He said, 'I would rather respect the oath of my mother, and I have some wealth there which I am going to take.' I said, 'By Allah, you know that I am one of the wealthiest men of Quraysh. I will give you half of my wealth, just do not go with them.' But he insisted on going with them, and when he insisted I said, 'If you insist on doing that, then take this she-camel of mine, for she is well-trained and easy to ride. Stay on her back, and if you suspect that they are up to something, you can flee on her.' So he went out with them, riding that camel. Then when they had travelled partway, Abu Jahl said to him, 'O' my brother, by Allah, I feel uncomfortable on this camel of mine; may I ride behind

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[67] This was ten miles away from Makkah.

[68] One of the valleys of Makkah.

[69] *Al-Hijrah an-Nabawiyah al-Mubârakah*, by 'Abdur-Rahmân 'Abdul-Barr, p. 129.

you on your camel?' He said, 'Yes.' So they both made their camels kneel down, so that he could climb up behind him, but when they were both on the ground, they pounced on him and tied him up, then they took him to Makkah where they put him to trial, and he succumbed.[70] We used to say that Allah would not accept any good deed or repentance from one who succumbed, one who had come to know Allah then went back to *kufr* because of some trial that befell him. And they used to say that to themselves too. When the Messenger of Allah (ﷺ) came to Madeenah, Allah revealed these words concerning them and what we used to say about them and what they used to say about themselves:

﴾Say, 'O' *'Ibâdi* [My slaves] who have transgressed against themselves [by committing evil deeds and sins]! Despair not of the Mercy of Allah, verily, Allah forgives all sins. Truly, He is Oft-Forgiving, Most Merciful. And turn in repentance and in obedience with true Faith [Islamic Monotheism] to your Lord and submit to Him [in Islam] before the torment comes upon you, [and] then you will not be helped. And follow the best of that which is sent down to you from your Lord [i.e. this Qur'an, do what it orders you to do and keep away from what it forbids], before the torment comes on you suddenly while you perceive not!﴿ *(Qur'an 39: 53-55)*

'Umar ibn al-Khaṭṭâb said: "I wrote these words down on a piece of paper and sent them to Hishâm ibn al-'Âṣ." Hishâm said: "When it reached me, I sat down and read it in Dhu Ṭuwa (one of the valleys of Makkah), reading it over and over, but I did not understand it until I said, 'O' Allah, make me understand it.' Then Allah, the Exalted, Almighty caused me to understand that it had been revealed concerning us and what we used to say about ourselves and what others said about us. I went back to my camel and sat on it, and went

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[70] *As-Seerah an-Nabawiyah aṣ-Ṣaḥeeḥah*, 1/205.

to join the Messenger of Allah (Blessings and peace be upon him) in Madeenah."[71]

This event shows us how 'Umar drew up a plan of migration for himself and his two companions, 'Ayyâsh ibn Abi Rabee'ah and Hishâm ibn al-'Âṣ ibn Wâ'il as-Sahmi. Each of the three came from a different tribe, and the place where they had agreed to meet was far from Makkah, outside the boundary of the *Ḥaram* (sanctuary), on the road to Madeenah. He stipulated the time and place clearly, so that if one of them was delayed, the other two would go on and would not wait for him, because something had prevented him from joining them. As they expected, Hishâm ibn al-'Âṣ was prevented from joining them, and 'Umar and 'Ayyâsh went ahead with their migration. The plan was a complete success, and they reached Madeenah safe and sound.[72] But Quraysh was determined to pursue the *Muhâjireen*, so they devised a well-thought-out plan which was implemented by Abu Jahl and al-Ḥârith, who were half-brothers of 'Ayyâsh through his mother, which was what made 'Ayyâsh trust them, especially since the matter had to do with his mother. Abu Jahl made up this story because he knew of the compassion and love that 'Ayyâsh felt towards his mother, which was clearly manifested when he agreed to go back with them. This incident also shows us the sense of danger that 'Umar (رضي الله عنه) possessed, when his intuition told him of the kidnap plot.[73]

It also demonstrates to us the high degree of brotherhood that had been established by Islam. 'Umar was willing to sacrifice half of his wealth for the sake of his brother's safety, because he feared that

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[71] *Al-Ḥijrah an-Nabawiyah al-Mubârakah*, p. 131.

[72] *At-Tarbiyah al-Qiyâdiyah*, 2/159.

[73] *As-Seerah an-Nabawiyah 'Arḍ Waqâ'i' wa Taḥleel Aḥadâth* by aṣ-Ṣallâbi, p. 512.

he would be persecuted by the *mushrikeen* after he went back to Makkah. But 'Ayyâsh was overwhelmed by his feelings for his mother and his desire to honour her, so he decided to go back to Makkah and honour his mother's oath, and bring the wealth that he had left there. And his pride would not allow him to take half the wealth of his brother 'Umar (ﷺ) when he had his own wealth sitting untouched in Makkah. But 'Umar was more far-sighted. It is as if he could see the misfortune that would befall 'Ayyâsh if he went back to Makkah. When he was unable to convince him, he gave him his well-trained camel. And the betrayal of the *mushrikeen* which was expected by 'Umar did indeed befall 'Ayyâsh.[74]

The idea had become widespread among the Muslims that Allah would not accept any good deeds from those who were put to trial and succumbed, and remained living in the *jâhili* society. Then Allah (ﷻ) revealed the words: ﴿Say, 'O' *'Ibâdi* [My slaves] who have transgressed against themselves [by committing evil deeds and sins]! Despair not of the Mercy of Allah...﴾.

No sooner had these words been revealed but 'Umar hastened to write them down and send them to his two dear brothers, 'Ayyâsh and Hishâm, so that they would try again to escape the camp of *kufr*. What a sublime attitude the son of al-Khaṭṭâb displayed. He had tried to persuade his brother 'Ayyâsh, offering him half of his wealth to convince him not to leave Madeenah, and he had given him his she-camel so that he might flee on her. Yet despite all that, he did not remind him of what he had said or tell him off for going against his opinion and rejecting his advice. On the contrary, his feelings of love and loyalty towards his brother came to the fore. No sooner has this verse been revealed but he hastened to send it to his brothers in Makkah and to all the weak and oppressed in that city, so that they

[74] *At-Tarbiyah al-Qiyâdiyah,* 2/160.

could try again to join the Muslim camp.[75]

'Umar settled in Madeenah and became a sincere advisor to the Messenger of Allah (ﷺ). The Prophet (ﷺ) established the bond of brotherhood between him and 'Uwaym ibn Sâ'idah[76], or 'Utbân ibn Mâlik[77], or Mu'âdh ibn 'Afrâ'.[78] Ibn 'Abdul-Hâdi commented on that and said: "There is no contradiction between these *aḥâdeeth*, for it may be that the Messenger of Allah (ﷺ) established the bond of brotherhood between him and each of these men on different occasions. It is not impossible that the bond of brotherhood was established between him and each of these men on different occasions.[79]

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75 Op. cit., 2/160.

76 *Manâqib Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb* by Ibn al-Jawzi, 31.

77 *Aṭ-Ṭabaqât* by Ibn Sa'd, 3/272.

78 *Manâqib Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb* by Ibn al-Jawzi, 31.

79 *Mahḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 1/184.

CHAPTER TWO
The Qur'anic Education of 'Umar ibn al-Khaṭṭâb at the Hands of the Prophet (ﷺ)

1. 'Umar and the Holy Qur'an

1.1. His concept of Allah, the universe, life, Paradise, Hell and the Divine will and decree

❖ The method by means of which 'Umar ibn al-Khaṭṭâb and all the noble *Ṣaḥâbah* were educated was the Holy Qur'an which was revealed from the Lord of the Worlds. It was the only source to be accepted. The Prophet (ﷺ) was keen to ensure that the Muslims acquired their concepts from one source only. The Holy Qur'an was to be the methodology and focal point on which the Muslim individual, family and society were to be raised. The verses which 'Umar heard directly from the Messenger of Allah (ﷺ) played a role in the formation of his Islamic personality. They purified his heart and soul and influenced him, and he became a new man, with new values, emotions, aims, behaviour and aspirations.[1]

[1] *As-Seerah an-Nabawiyah* by aṣ-Ṣallâbi, 1/145.

Through the Qur'an, 'Umar came to know Who is the God Who must be worshipped. The Prophet (ﷺ) instilled in his heart the meanings of these verses, for he was keen to teach his Companions the correct concept of their Lord and His rights over them, knowing that this concept would generate certainty and faith when their souls were purified and their nature (*fiṭrah*) became sound. 'Umar's view of Allah, the universe, life, Paradise, Hell, the divine will and decree, the true nature of man and man's struggle with the *Shayṭân* were all based on the Holy Qur'an and the guidance of the Prophet (ﷺ).

❖ Allah is above having any shortcomings; His are the attributes of infinite perfection. He is One, with no partner or associate, and He has no wife or child.

❖ He, the Exalted is the Creator, Sovereign and Controller of all things:

﴿Indeed, your Lord is Allah, Who created the heavens and the earth in Six Days, and then He rose over [*Istawa*] the Throne [really in a manner that suits His Majesty]. He brings the night as a cover over the day, seeking it rapidly, and [He created] the sun, the moon, the stars subjected to His Command. Surely, His is the creation and commandment. Blessed is Allah, the Lord of the *'Âlameen* [mankind, jinn and all that exists]!﴾ *(Qur'an 7: 54)*

❖ Allah is the source of every blessing in this universe, great or small, manifest or hidden.

﴿And whatever of blessings and good things you have, it is from Allah. Then, when harm touches you, unto Him you cry aloud for help.﴾ *(Qur'an 16: 53)*

❖ His knowledge encompasses all things, and nothing is hidden

from Him on earth or in heaven, nothing that man conceals or displays openly.

- Allah records man's deeds through the actions of His angels, in a book in which nothing, great or small, is omitted, rather it is recorded precisely. That will be shown to man at the appropriate time:

  ﴾Not a word does he [or she] utter but there is a watcher by him ready [to record it].﴿ *(Qur'an 50: 18)*

- Allah tests His slaves with things that go against their desires and inclinations, in order to show people's essence, who among them will accept the will and decree of Allah and submit to it both outwardly and inwardly, and thus deserve the position of vicegerency and leadership, and who among them will be angry with His will and decree and thus not deserve anything and will not be given any rank.

  ﴾Who has created death and life that He may test you which of you is best in deed. And He is the All-Mighty, the Oft-Forgiving.﴿ *(Qur'an 67: 2)*

- Allah grants help and support to the one who seeks His protection and follows His rulings in all that he does or abstains from:

  ﴾Verily, my *Wali* [Protector, Supporter, and Helper] is Allah Who has revealed the Book [the Qur'an], and He protects [supports and helps] the righteous.﴿ *(Qur'an 7: 196)*

- His right over His slaves is that they should worship Him alone, and not join any other with Him:

  ﴾Nay! But worship Allah [Alone and none else], and be among the grateful.﴿ *(Qur'an 39: 66)*

- Allah has defined the essence of this *'Uboodiyah* (servitude to Him

alone), which is the *Tawḥeed* — Islamic monotheism — that is described in the Holy Qur'an.[2]

'Umar's view of the universe was based on the verses:

﴾Say [O' Muhammad], 'Do you verily disbelieve in Him Who created the earth in two Days? And you set up rivals [in worship] with Him? That is the Lord of the *'Âlameen* [mankind, jinn and all that exists]. He placed therein [i.e. the earth] firm mountains from above it, and He blessed it, and measured therein its sustenance [for its dwellers] in four Days equal [i.e. all these four 'days' were equal in the length of time] for all those who ask [about its creation]. Then He rose over [*Istawa*] towards the heaven when it was smoke, and said to it and to the earth: Come both of you willingly or unwillingly. They both said: We come willingly. Then He completed and finished from their creation [as] seven heavens in two Days and He made in each heaven its affair. And We adorned the nearest [lowest] heaven with lamps [stars] to be an adornment as well as to guard [from the devils by using them as missiles against the devils]. Such is the Decree of Him, the All-Mighty, the All-Knower.﴿ *(Qur'an 41: 9-12)*

As for this life, no matter how long it lasts, it will inevitably come to an end, and no matter how great its conveniences and luxuries, they are in fact insignificant. Allah (ﷻ) says:

﴾Verily, the likeness of [this] worldly life is as the water [rain] which We send down from the sky; so by it arises the intermingled produce of the earth of which men and cattle eat: until when the earth is clad in its adornments and is beautified, and its people think that they have all the powers of disposal over it, Our Command reaches it by night or by day and We make it like a clean-mown harvest, as if it had not flourished yesterday! Thus do We explain the *Ayât* in detail for the people who reflect.﴿ *(Qur'an 10: 24)*

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[2] *Manhaj ar-Rasool fee Gharas ar-Rooḥ al-Jihâdiyah,* Pp. 10-16.

'Umar's view of Paradise was derived from the verses which describe it, and he became one of those of whom Allah (ﷻ) says:

﴾Their sides forsake their beds, to invoke their Lord in fear and hope, and they spend [in charity in Allah's Cause] out of what We have bestowed on them. No person knows what is kept hidden for them of joy as a reward for what they used to do.﴿ *(Qur'an 32: 16-17)*

His concept of Hell was derived from the Holy Qur'an, and this concept became a deterrent which prevented him from going astray from the laws of Allah, Anyone who studies the life of 'Umar will see how clear the idea of meeting Allah was in his mind, and how greatly he feared the wrath and punishment of Allah. He went out one night to check on the people of Madeenah, and he passed by the house of a Muslim man and happened to see him standing and praying. He paused to listen to his recitation, and the man recited:

﴾By the Ṭoor [Mount]. And by the Book Inscribed. In parchment unrolled. And by *al-Bayt al-Ma'moor* [the house over the heavens parallel to the Ka'bah at Makkah, continuously visited by the angels]. And by the roof raised high [i.e. the heaven]. And by the sea kept filled [or it will be fire kindled on the Day of Resurrection]. Verily, the Torment of your Lord will surely come to pass.﴿ *(Qur'an 52: 1-7)*

He said: It is an oath and it is true, by the Lord of the Ka'bah! He dismounted and leaned against a wall, and paused there for a while, then he went back to his house, where he fell sick for a month. The people came to visit him, not knowing what had made him ill.[3]

His concept of the Divine will and decree was derived from the Book of Allah and the teachings of the Messenger of Allah (ﷺ). This concept was firmly entrenched in his heart, and he understood its different categories as mentioned in the Book of Allah. He was

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[3] *Ar-Riqqah wa al-Buka'*, by 'Abdullâh ibn Aḥmad al-Maqdisi, p. 166.

certain that the knowledge of Allah encompasses all things:

﴾Neither you [O' Muhammad] do any deed nor recite any portion of the Qur'an, nor you [O' mankind] do any deed [good or evil], but We are Witness thereof, when you are doing it. And nothing is hidden from your Lord [so much as] the weight of an atom [or small ant] on the earth or in the heaven. Not what is less than that or what is greater than that but is [written] in a Clear Record.﴿ *(Qur'an 10: 61)*

And he was certain that Allah has decreed everything that is to be:

﴾... Allah is not such that anything in the heavens or in the earth escapes Him. Verily, He is All-Knowing, All-Omnipotent.﴿ *(Qur'an 35: 44)*

And that Allah is the Creator of all things:

﴾Such is Allah, your Lord! *Lâ Ilâha illa Huwa* [none has the right to be worshipped but He], the Creator of all things. So worship Him [Alone], and He is the *Wakeel* [Trustee, Disposer of affairs or Guardian] over all things.﴿ *(Qur'an 6: 102)*

This correct understanding and deep conviction of the reality of the Divine will and decree bore many fruits which were apparent in his life, as we shall see in this book. From the Holy Qur'an he understood the reality of his own self and of all men. He knew that man's essence went back to two origins: his ancient origin when he was first created from clay, when he was formed and the soul was breathed into him, and his recent origin when he was created from a drop of sperm.[4] Allah (ﷻ) says:

﴾Who made everything He has created good and He began the creation of man from clay. Then He made his offspring from semen

[4] *Uṣool at-Tarbiyah* by al-Khalâwi, p. 31.

of despised water [male and female sexual discharge]. Then He fashioned him in due proportion, and breathed into him the soul [created by Allah for that person]; and He gave you hearing [ears], sight [eyes] and hearts. Little is the thanks you give!.❳

(Qur'an 32: 7-9)

He understood that Allah had created man with His own hand, and honoured him with a beautiful form and an upright posture. He had blessed him with wisdom, logic and discernment, and subjugated to him all that is in the heavens and on earth. Allah favoured man over much of His creation, and honoured him by sending the Messengers to him. The most wondrous manifestation of this divine honour towards man was that He made man qualified to receive His love and good pleasure, which could be attained by following the Prophet (ﷺ) who called man to Islam so that they might live a good life in this world and attain eternal bliss in the Hereafter. Allah says:

❲Whoever works righteousness — whether male or female — while he [or she] is a true believer [of Islamic Monotheism] verily, to him We will give a good life [in this world with respect, contentment and lawful provision], and We shall pay them certainly a reward in proportion to the best of what they used to do [i.e. Paradise in the Hereafter].❳ *(Qur'an 16: 97)*

'Umar understood the true nature of the struggle between man and the *Shayṭân*. He knew that this enemy comes to man from before and behind, from his right and from his left, and whispers to him, tempting him to commit sin, and stirring up his desires. He used to seek the help of Allah against his enemy *Iblees* and he prevailed over him throughout his life, as we shall see as we study his biography.

He learned from the story of Adam with the *Shayṭân*, as mentioned in the Qur'an, that Adam was the original man, and that the essence of Islam is absolute obedience to Allah, and that man is

vulnerable to falling into sin. From the story of Adam's sin he learned the necessity of putting one's trust in Allah, the importance of repentance and praying for forgiveness in the life of the believer, the necessity of keeping away from envy and arrogance, and the importance of speaking in the best manner to one's companions, because Allah (ﷻ) says:

﴾And say to My slaves [i.e. the true believers of Islamic Monotheism] that they should [only] say those words that are the best. [Because] *Shayṭân* [Satan] verily, sows a state of conflict and disagreements among them. Surely, *Shayṭân* [Satan] is to man a plain enemy.﴿ *(Qur'an 17: 53)*

He followed the path of the Messenger of Allah (ﷺ) in the way in which he purified his Companions' hearts and souls by means of all kinds of acts of worship, and training them to follow the guidelines for manners and attitude that were laid out in the Qur'an.

Allah blessed 'Umar ibn al-Khaṭṭâb (رضي الله عنه) with Islam which offered him a sound and pure belief. This replaced his former beliefs and put an end to them. Thus the pillars of idolatry collapsed: there was no drawing close to idols, no daughters of Allah, no kinship between the jinn and Allah, no soothsayers to direct the course of society and lead it into confusion and superstition, and no oblivion after death.[5] All these notions were dispelled and replaced with belief in Allah alone, cleansed of any ideas of *shirk*, sons of Allah, soothsaying or oblivion after death. They were replaced with belief in a Hereafter in which man will finally be confronted with his deeds and will be rewarded or punished accordingly. The nonsensical *jâhili* belief in a life with no resurrection and no questioning before the Judge was replaced with belief in the Last Day and responsibility for

[5] *'Umar ibn al-Khaṭṭâb* by 'Ali al-Khaṭeeb, p. 51.

one's deeds. 'Umar was fully absorbed into this religion, and Allah and His Messenger became more beloved to him than anything or anyone else. He worshipped Allah alone with full sincerity, as if he could see Him.[6] From the Qur'an, 'Umar began to learn everything from laws to etiquette, history to wisdom. He persisted at a steady pace, with the help of Allah, living with the Qur'an which influenced his mind, heart, soul and spirit and had an impact on his behaviour. The reason for that — after the help of Allah — was his learning at the hands of the Messenger of Allah (ﷺ).[7]

1.2. The coinciding of 'Umar's opinion with the Holy Qur'an, his knowledge of the reasons for revelation, and his commentary on some verses

1.2.1. The coinciding of 'Umar's opinion with the Holy Qur'an

'Umar (رضي الله عنه) was one of the bravest and most courageous of the *Ṣaḥâbah*. He would often ask the Messenger of Allah (ﷺ) about his decisions if he did not understand them, and he would offer his opinion and ijtihad with all honesty and clarity. Because of his deep understanding of the aims of the Qur'an, verses of Qur'an were revealed which coincided with his opinion in some instances. 'Umar said: "My opinion coincided with that of Allah — or of my Lord — in three matters. I said, «O' Messenger of Allah, why don't you take Maqâm Ibrâheem as a place of prayer?', then Allah revealed that. And I said, 'O' Messenger of Allah, both righteous and immoral people enter upon you; why don't you tell the Mothers of the

[6] *'Umar ibn al-Khaṭṭâb, Ḥayâtuhu, 'Ilmuhu, Adabuhu*, p. 51.
[7] Ibid, p. 52.

Believers to observe *ḥijâb*?' and Allah revealed the verse of *ḥijâb*. And I heard that the Prophet (ﷺ) had rebuked some of his wives, so I went to them and said, 'Either you stop, or Allah will give His Messenger (wives) who are better than you.' I went to one of his wives and she said, 'O' 'Umar, don't you think that the Messenger of Allah (ﷺ) is able to exhort his wives? Why are you speaking to them?'[8] Then Allah revealed the words:

﴾It may be if he divorced you [all] that his Lord will give him instead of you, wives better than you — Muslims [who submit to Allah], believers, obedient [to Allah], turning to Allah in repentance, worshipping Allah sincerely, given to fasting or emigrants [for Allah's sake], previously married and virgins.﴿ *(Qur'an 66: 5)*»

1.2.2. Not offering the funeral prayer for the hypocrites

'Umar said: «When 'Abdullâh ibn Ubayy died, the Messenger of Allah (ﷺ) was called to offer the funeral prayer for him. He went there and when he stood to offer the prayer for him, I went and stood in front of him and said: "O' Messenger of Allah, are you going to offer the funeral prayer for the enemy of Allah 'Abdullâh ibn Ubayy, who said such and such on such and such a day?" and I listed his evil deeds, whilst the Messenger of Allah (ﷺ) smiled, until I had said too much. Then he said, "Get away from me, O' 'Umar, for I have been given the choice and I have made my choice. It was said to me,

﴾Whether you [O' Muhammad] ask forgiveness for them [hypocrites] or ask not forgiveness for them — [and even] if you ask seventy times for their forgiveness — Allah will not forgive them because they have disbelieved in Allah and His Messenger

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[8] Bukhari, *Kitâb at-Tafseer*, hadith no. 4213.

[Muhammad]. And Allah guides not those people who are *Fâsiqoon* [rebellious, disobedient to Allah].﴿ *(Qur'an 9: 80)*

If I knew that by asking more than seventy times for his forgiveness he would be forgiven, I would ask more than seventy times." Then he offered the funeral prayer for him and accompanied him to his grave, until the burial was finished. I started to wonder at my own audacity in speaking to the Messenger of Allah (ﷺ) in this manner, but Allah and His Messenger knew best. It was not long before this verse was revealed:

﴾And never [O' Muhammad] pray [funeral prayer] for any of them [hypocrites] who dies, nor stand at his grave...﴿ *(Qur'an 9: 84)*

After that the Messenger of Allah (ﷺ) did not offer the funeral prayer for any hypocrite, nor did he stand at his grave, until Allah took his soul.»[9]

1.2.3. The prisoners of Badr

'Umar said: «On the day of Badr, when Allah defeated the *mushrikeen* and seventy of them were killed and seventy taken prisoner, the Messenger of Allah (ﷺ) consulted Abu Bakr, 'Umar, 'Uthmân and 'Ali. He said to me: "What do you think, O' son of al-Khaṭṭâb?" I said, "I think that you should let me deal with So and so — a relative of 'Umar's — and I will strike his neck (kill him); and you should let 'Ali deal with 'Aqeel[10] and strike his neck; and you should let Ḥamzah deal with So and so and strike his neck, so that Allah will know that there is no inclination in our hearts towards the *mushrikeen*, for these are their leaders and chiefs." The Messenger of

[9] Muslim, hadith no. 2400; *Akhbâr 'Umar* by *aṭ-Ṭanṭâwiyân*, Pp. 380, 381.

[10] 'Aqeel ibn Abi Ṭâlib al-Hâshimi; he became Muslim on the day of the Conquest of Makkah, and died at the beginning of the caliphate of Yazeed.

Allah (ﷺ) did not like what I said, and he accepted the ransom from them. The next day I went to the Messenger of Allah (ﷺ) and he and Abu Bakr were sitting there, weeping. I said, "O' Messenger of Allah, what has made you and your Companion weep? If I can, I will weep with you, and if I cannot then I will pretend to weep." The Messenger of Allah (ﷺ) said, "Because of what your companions suggested of accepting the ransom, your punishment was shown to me closer than this tree." Then Allah revealed the words:

﴾It is not for a Prophet that he should have prisoners of war [and free them with ransom] until he had made a great slaughter [among his enemies] in the land. You desire the good of this world [i.e. the money of ransom for freeing the captives], but Allah desires [for you] the Hereafter. And Allah is All-Mighty, All-Wise. Were it not a previous ordainment from Allah, a severe torment would have touched you for what you took.﴿ *(Qur'an 8: 67-68)*

The following year, seventy of them were killed, and the Companions of the Messenger of Allah (ﷺ) fled; his tooth was broken and his helmet smashed, and blood flowed down his face. Then Allah revealed the words:

﴾[What is the matter with you?] When a single disaster smites you, although you smote [your enemies] with one twice as great, you say: 'From where does this come to us?' Say [to them], 'It is from yourselves [because of your evil deeds]' — because of your accepting the ransom. And Allah has power over all things.﴿ *(Qur'an 3: 165)*.»[11]

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[11] *Musnad Aḥmad*, 1/250, hadith no. 221; classed as *ṣaḥeeḥ* by Aḥmad Shâkir. A similar report was narrated by Muslim, hadith no. 1763.

1.2.4. Seeking permission to enter

The Prophet (ﷺ) sent a slave from among the Anṣâr to 'Umar ibn al-Khaṭṭâb at noon time to call him. He entered his house when he was sleeping and part of his body had become uncovered. He said: "O' Allah, forbid people to enter our houses at the time when we are sleeping." According to another report he said: "O' Messenger of Allah, I wish that Allah would give us some commands and prohibitions with regard to asking permission to enter."[12] Then the words were revealed:

﴾O' you who believe! Let your slaves and slave-girls, and those among you who have not come to the age of puberty ask your permission [before they come to your presence] on three occasions: before *Fajr* [morning] *Ṣalâh* [prayer], and while you put off your clothes for the noonday [rest], and after the *'Ishâ'* [night] *Ṣalâh* [prayer]...﴿ *(Qur'an 24: 58)*

1.2.5. 'Umar and his prayer that alcohol be forbidden

When Allah (ﷻ) revealed the verse:

﴾They ask you [O' Muhammad] concerning alcoholic drink and gambling...﴿ *(Qur'an 2: 219)*

'Umar said: «"O' Allah, clarify the issue of alcohol for us once and for all." Then the verse in *Soorah an-Nisâ'* was revealed:

﴾O' you who believe! Approach not *aṣ-Ṣalâh* [the prayer] when you are in a drunken state....﴿ *(Qur'an 4: 43)*

When giving the *iqâmah* (call immediately preceding the prayer), the

[12] *Ar-Riyâḍ an-Naḍrah*, p. 332. Its isnad is *ḍa'eef*, and al-Wâqidi quoted it without an isnad.

caller of the Messenger of Allah (ﷺ) would cry out that no drunken person should approach the prayer. 'Umar was called and this verse was recited to him, and he said: "O Allah, clarify the issue of alcohol for us once and for all." Then the verse in *Soorah al-Mâ'idah* was revealed, and 'Umar was called and it was recited to him. When he reached the words, ﴾So, will you not then abstain?﴿ *(Qur'an 5: 91)*. 'Umar said, "We have abstained, we have abstained."»[13]

So the prohibition of alcohol was approached in a gradual manner, and from the words ﴾So, will you not then abstain?﴿ *(Qur'an 5: 91)*. 'Umar understood that this rhetorical question was in fact a prohibition, because this question was more powerful and more definitive than a prohibition expressed in the usual style. From the wording and context of the verse it is as clear as day that this is a prohibition.[14]

1.2.6. His knowledge of the reasons for revelation

'Umar memorized the entire Qur'an during a period that began with his conversion and ended with the death of the Messenger (ﷺ). He memorized it along with the reasons for revelation, except for those verses that had been revealed before he became Muslim, which he learned in general terms.

We would not be exaggerating if we said that 'Umar knew many of the reasons for revelation, especially during the part of his life when he was Muslim. Because he was so close to the Messenger of Allah (ﷺ), learning directly from him, and because he learned from him what he had missed of the Qur'an, he acquired deep knowledge of the reasons for revelation when the Qur'an was still

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[13] Classed as *ṣaḥeeḥ* by Aḥmad Shâkir in his analysis of the *aḥâdeeth* of *al-Musnad*, hadith no. 378.

[14] *Shaheed al-Miḥrâb* by at-Talmasâni, p. 101.

fresh and events were still unfolding in front of him. Thus the matter was something easy for him.[15]

'Umar himself was the reason for the revelation of more than one verse, some of which are known by scholarly consensus to have been revealed in Makkah and others which are similarly known to have been revealed in Madeenah. In the case of some verses, 'Umar knew precisely where and when they were revealed. He said concerning the verse:

﴾This day, I have perfected your religion for you, completed My Favour upon you, and have chosen for you Islam as your religion.﴿ *(Qur'an 5: 3)*

«"By Allah, I know exactly the day on which this was revealed to the Messenger of Allah (ﷺ), and the hour at which it was revealed to the Messenger of Allah (ﷺ). It was in the evening of 'Arafah on a Friday."»[16] 'Umar — alone or with others — was the direct reason for the revelation of several verses, including the passage in which Allah (ﷻ) says:

﴾Do you consider the providing of drinking water to the pilgrims and the maintenance of *al-Masjid al-Ḥarâm* [at Makkah] as equal to the worth of those who believe in Allah and the Last Day, and strive hard and fight in the Cause of Allah? They are not equal before Allah. And Allah guides not those people who are the *Dhâlimoon* [polytheists and wrongdoers]. Those who believed [in the Oneness of Allah — Islamic Monotheism] and emigrated and strove hard and fought in Allah's Cause with their wealth and their lives, are far higher in degree with Allah. They are the successful. Their Lord gives them

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[15] *'Umar ibn al-Khaṭṭâb*, by Dr. 'Ali al-Khaṭeeb, Pp. 90-92.

[16] Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari and Muslim. *Al-Mawsoo'ah al-Ḥadeethiyah*, *Musnad Aḥmad*, hadith no. 188.

glad tidings of mercy from Him, and His being pleased [with them], and of Gardens [Paradise] for them wherein are everlasting delights. They will dwell therein forever. Verily, with Allah is a great reward.❵ *(Qur'an 9: 19-22)*

In *aṣ-Ṣaḥeeḥ* it is narrated that a man said: «"I do not care if I do not do anything after becoming Muslim apart from taking care of *al-Masjid al-Ḥarâm*." 'Ali ibn Abi Ṭâlib (ﷺ) said, "Jihad for the sake of Allah is better than all of that." 'Umar ibn al-Khaṭṭâb said, "Do not raise your voices by the *minbar* of the Messenger of Allah (ﷺ). When the prayer is over, I will ask him about that." So he asked him, and Allah revealed this verse, explaining to them that faith and jihad are better than maintaining *al-Masjid al-Ḥarâm*, Ḥajj, 'Umrah, *ṭawâf* and treating the pilgrims kindly by providing them with water. Hence Abu Hurayrah (ﷺ) said, "If I were to stand guard on the border for the sake of Allah for one night, that would be dearer to me than spending *Laylat al-Qadr* in prayer at the Black Stone."»[17]

1.2.7. 'Umar's asking the Messenger of Allah (ﷺ) about some verses

'Umar (ﷺ) used to ask the Messenger of Allah (ﷺ) about some verses, and sometimes he would hear another *Ṣaḥâbi* asking the Messenger of Allah (ﷺ) about some verses, and he would memorize the answers and teach them to whomever he wanted of those who sought knowledge.

It was narrated that Ya'la ibn Umayyah said: «I asked 'Umar ibn al-Khaṭṭâb: ❴... there is no sin on you if you shorten *aṣ-Ṣalâh* [the prayer] if you fear that the disbelievers may put you in trial [attack you]...❵ *(Qur'an 4: 101)* But the people are safe now." 'Umar said to

[17] *Al-Fatâwa*, 28/10.

me: "I wondered the same thing, so I asked the Messenger of Allah (ﷺ) about that, and he said, 'It is a charity that Allah has bestowed upon you, so accept His charity.' "»[18]

And 'Umar ibn al-Khaṭṭâb (ﷺ) was asked about this verse:

﴾And [remember] when your Lord brought forth from the Children of Adam, from their loins, their seed [or from Adam's loin his offspring]...﴿ *(Qur'an 7:172)*

«'Umar said, "I heard the Messenger of Allah (ﷺ) being asked about it and the Messenger of Allah (ﷺ) said, 'Allah created Adam, then He wiped his back with His right hand and brought forth from him his progeny and said, 'I have created these for Paradise and they will do the deeds of the people of Paradise.' Then He wiped his back (again) and brought forth (more of) his progeny and said, 'I have created these for Hell and they will do the deeds of the people of Hell.'' A man said, 'O' Messenger of Allah, why then should we strive?' The Messenger of Allah (ﷺ) said, 'If Allah creates a person for Paradise, He will make him do the deeds of the people of Paradise, until he dies doing one of the deeds of the people of Paradise and is admitted thereby to Paradise, and if He creates a person for Hell, He will make him do the deeds of the people of Hell, until he dies doing one of the deeds of the people of Hell and is admitted thereby to Hell.' "»[19]

When Allah (ﷻ) revealed the verse:

﴾Their multitude will be put to flight, and they will show their backs.﴿ *(Qur'an 54: 45),*

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[18] Its isnad is *ṣaḥeeḥ* according to the conditions of Muslim. *Musnad Aḥmad* hadith no. 174; *al-Mawsoo'ah al-Ḥadeethiyah.*

[19] It is *ṣaḥeeḥ* because of corroborating evidence (*ṣaḥeeḥ lee ghayrihi*). *Musnad Aḥmad* hadith no. 311; *al-Mawsoo'ah al-Ḥadeethiyah.*

'Umar was asked: "Which multitude will be put to flight? Which multitude will be defeated?" 'Umar said, "On the day of Badr, I saw the Messenger of Allah (ﷺ) standing firm with his shield, saying, ❮Their multitude will be put to flight, and they will show their backs❯. Then I understood the meaning of this verse."[20]

1.2.8. 'Umar's commentary on some verses

'Umar would try to avoid commenting on Qur'an on the basis of his own opinion. Hence when he was asked about the verse, ❮By [the winds] that scatter dust❯ *(Qur'an 51: 1)*, he said: "It means the wind, and were it not that I heard the Messenger of Allah (ﷺ) say that, I would not have said it." He was asked about the verse, ❮And [the clouds] that bear heavy weight of water❯ *(Qur'an 51: 2)*, and he said: "It means the clouds, and were it not that I heard the Messenger of Allah (ﷺ) say that, I would not have said it." He was asked about the verse, ❮And [the ships] that float with ease and gentleness❯ *(Qur'an 51: 3)*. He said: "It means ships, and were it not that I heard the Messenger of Allah (ﷺ) say that, I would not have said it." He was asked about the verse, ❮And those [angels] who distribute [provisions, rain, and other blessings] by [Allah's] Command❯ *(Qur'an 51: 4)*. He said: "It means the angels, and were it not that I heard the Messenger of Allah (ﷺ) say that, I would not have said it."[21]

'Umar had a particular methodology in commenting on verses of Qur'an. If he knew that the Messenger of Allah (ﷺ) had commented on a verse, he would follow his commentary, which is the best way. We have seen an example of this above. If he did not know

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[20] *Tafseer Ibn Katheer*, 4/266.

[21] *Akhbâr 'Umar ibn al-Khaṭṭâb* by aṭ-Ṭanṭâwiyân, p. 308, quoting from *ar-Riyâḍ an-Naḍrah.*

of any comment by the Messenger of Allah (ﷺ), he would check with the knowledgeable people among the *Sahâbah*, such as Ibn 'Abbâs, Ubayy ibn Ka'b, 'Abdullâh ibn Mas'ood, Mu'âdh and others (may Allah be pleased with them all). The following is an example of that.

One day 'Umar said to the Companions of the Prophet (ﷺ): «Concerning what do you think this verse was revealed:

﴾Would any of you wish to have a garden with date palms and vines, with rivers flowing underneath, and all kinds of fruits for him therein, while he is stricken with old age, and his children are weak [not able to look after themselves], then it is struck with a fiery whirlwind, so that it is burnt? Thus does Allah make clear His *Âyât* [proofs, evidences, verses] to you that you may give thought.﴿

(Qur'an 2: 266)?

They said: "Allah knows best." 'Umar became angry and said, "Say we know or we do not know." Ibn 'Abbâs said, "I think I have an idea about it, O' *Ameer al-Mu'mineen*." 'Umar said, "O' son of my brother, speak and do not belittle yourself." Ibn 'Abbâs said, "It is the similitude of some deed." 'Umar said, "Which deed?" Ibn 'Abbâs said, "Some deed." 'Umar said, "(It is a similitude of) a rich man who strives to obey Allah, then Allah sends the *Shaytân* to him and he starts to commit sin until his good deeds are destroyed."»[22] According to another report, Ibn 'Abbâs said, "This is referring to deeds, for the son of Adam is most in need of his garden when he has grown old and has numerous dependents, and the son of Adam is most in need of his good deeds on the day when he is resurrected." 'Umar said, "You have spoken correctly, O' son of my brother."[23]

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[22] *Fath al-Bâri*, 8/49.

[23] *al-Khilâfah ar-Râshidah wa al-Dawlah al-Umawiyah*, by Dr. Yahya al-Yahya, p. 305.

'Umar also commented on some other verses, such as the passage:

﴾Who, when afflicted with calamity, say, 'Truly, to Allah we belong and truly, to Him we shall return.' They are those on whom are the *Ṣalawât* [i.e. who are blessed and will be forgiven] from their Lord, and [they are those who] receive His Mercy, and it is they who are the guided ones.﴿ *(Qur'an 2: 156-157)*

'Umar said: "What a good reward and what a good bonus."[24] What he meant by reward was blessings and mercy, and what he meant by bonus was right guidance.[25]

He heard someone reciting the verse, ﴾O' man! What has made you careless about your Lord, the Most Generous?﴿ *(Qur'an 82: 6)* and said: "This means ignorance."[26]

He explained the verse, ﴾And when the souls are joined with their bodies [the good with the good and the bad with the bad]﴿ *(Qur'an 81: 7)*, by saying: "Evildoers with evildoers and righteous with righteous."[27]

He explained the verse, ﴾Turn to Allah with sincere repentance﴿ *(Qur'an 66: 8)*, by saying: "(This means) repenting and not going back to sin; that is the complete repentance that is required."[28]

One day he passed by the cell of a monk and called him, saying, "O' monk!" The monk looked out and 'Umar began to look at him and weep. It was said to him, "O' *Ameer al-Mu'mineen*, why are you weeping for him?" He said: "I remembered the words of

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[24] *al-Mustadrak*, 2/270.

[25] *Al-Khilâfah ar-Râshidah wa ad-Dawlah al-Umawiyah*, p. 305.

[26] *Tafseer Ibn Katheer*, 4/513.

[27] *Al-Fatâwa*, 7/44.

[28] Ibid, 11/382.

Allah in His Book: ﴾Labouring [hard in the worldly life by worshipping others besides Allah], weary [in the Hereafter with humiliation and disgrace]. They will enter in the hot blazing Fire﴿ *(Qur'an 88: 3-4)*. That is what made me weep."[29]

And he interpreted *jibt* as meaning witchcraft and *ṭâghoot* as meaning the *Shayṭân*, in the verse, ﴾They believe in *Jibt* and *Ṭâghoot*﴿ *(Qur'an 4: 51)*.[30]

2. His Keeping Company with the Messenger of Allah (ﷺ)

'Umar was one of the Makkans who could read and write in an illiterate society, which is indicative of his keenness to acquire knowledge from an early age. He strove to become one of the few, those who became literate and educated themselves, thus occupying a prominent position at the time of the Prophethood due to a combination of qualities including the ability to read and write, which was something that meant a great deal at that time.

'Umar received his early education, and learned how to read and write, at the hands of Ḥarb ibn Umayyah, the father of Abu Sufiyân.[31] This distinction qualified him to acquire the education and knowledge that was available at that time. However we are certain that the strongest factor that influenced 'Umar's personality, honed his talents, sparked his potential and purified his soul was his keeping company with the Messenger of Allah (ﷺ) and studying at his hands. 'Umar stayed close to the Messenger of Allah (ﷺ) in Makkah after

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[29] *Tafseer Ibn Katheer*, 4/537.

[30] Ibid, 1/524.

[31] *'Umar ibn al-Khaṭṭâb* by Dr. Muhammad Aḥmad Abu an-Naṣr, p. 87.

he became Muslim, and he stayed close to him in Madeenah too. 'Umar lived in al-'Awâli, which was originally on the outskirts of Madeenah — although now it has become part of it, and now abuts the Prophet's Mosque, following the expansion of the Mosque. In this place he organized himself and was keen to study all aspects of knowledge at the hands of the Teacher and Guide of Mankind, whom Allah had taught and taught well. He did not miss any knowledge of Qur'an, any hadith, command, event or exhortation. 'Umar said: "I had a neighbour from among the Anṣâr, from Banu Umayyah ibn Zayd, who lived in al-'Awâli in Madeenah. He and I would take it in turns to go down to the Messenger of Allah (ﷺ). He would go down one day and I would go down the next. When I went down I would bring him the day's news of Revelation and other matters, and when he went down he would do likewise."[32]

This reports points to the abundant wellspring from which 'Umar derived his knowledge and education. It was the Book of Allah which was being revealed to the Messenger of Allah (ﷺ) in stages, according to events. The Messenger of Allah (ﷺ) would recite it to his Companions, who learned its meanings and understood it in detail, and were greatly influenced by its principles. It had a deep impact on their hearts, minds and souls. 'Umar was one of those who were influenced by the Qur'anic method of education. Everyone who studies the history of 'Umar should pause and ponder this pure, divine wellspring which nourished their talents and brought their genius to the fore, and caused people's knowledge to grow. What we are speaking of here is the Holy Qur'an.

From the time he became Muslim, 'Umar was keen to memorize Qur'an and to understand it and ponder its meanings. He remained close to the Messenger, learning what was revealed to him,

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[32] Op. cit., p. 87.

until he had memorized all the verses and *Soorahs* of the Qur'an. The Prophet (ﷺ) taught him one recitation of the Qur'an and he was keen to adhere to the recitation that the Messenger of Allah (ﷺ) had taught him.[33] On occasion, 'Umar had the honour of being the first one to hear some verses as soon as they had been revealed. He was also very keen to study and review what he had memorized.[34] 'Umar was trained according to the Qur'anic method and the one who taught him was the Messenger of Allah (ﷺ). The starting point in 'Umar's education came when he met the Messenger of Allah (ﷺ) and underwent a sudden and marvellous transformation as soon as he met the Prophet (ﷺ), coming forth from darkness into light, acquiring faith and shunning *kufr*. He was able to bear hardships for the sake of his new religion and its pure beliefs. The personality of the Messenger of Allah (ﷺ) was the main attraction to Islam, for he possessed the ability to attract and influence others. Allah has prepared him and moulded him and made him the most perfect human being in the history of the world. Greatness is always loved and admired by people; admirers gather around it and remain attached to it, because of that love and admiration. But in the case of the Messenger of Allah (ﷺ), added to that greatness was the fact that he was the Messenger of Allah, the one who received revelation from Allah and conveyed it to mankind. This added a further dimension to the impact on the believer's feelings towards him. He was not loved only for himself as great men are loved, but also for that divine connection. For when a believer was in the presence of the Messenger of Allah (ﷺ), he was also in the presence of Divine revelation. So the Messenger of Allah (ﷺ) was both a great human being and a great Messenger; these two qualities ultimately combined and became one, with no distinction between them. Thus

[33] Op. cit., p. 88.
[34] Ibid.

the believer's love for the Messenger of Allah (ﷺ) was love for the Messenger as a human being and for the human being as a Messenger. Love for Allah was connected to love for His Messenger, and the two joined together in the believer's heart, becoming the focal point of all his emotions and the basis for his behaviour and attitudes.

This love that motivated the first generation of the *Ṣaḥâbah* is the focus and starting point of Islamic education.[35] Through the blessing of keeping company with the Messenger of Allah (ﷺ) and learning at his hands, the *Ṣaḥâbah* attained a high level of faith. Sayyid Quṭb says concerning this purification and education:

"It was indeed a purification. That is what the Messenger of Allah (ﷺ) did with them to purify their hearts and their emotions, their deeds and behaviour, their marital and social lives. It was a purification that lifted their souls from belief in *shirk* to belief in *Tawḥeed*, from false notions to true belief, from nonsensical myths to clear certainty. It raised them from the filth of immorality to the purity of faith, from the filth of *riba* (usury) and *ḥarâm* earnings to the purity of *ḥalâl* income. It was a complete purification of the individual and the society, of their hearts and deeds, a purification which raised man and all his concepts of life, himself and his origins to the realm of light where he is connected with his Lord and the (angels) on high."[36]

'Umar studied at the hands of the Messenger of Allah (ﷺ) and learned from him the Qur'an and Sunnah, the rules of recitation (*tilâwah*) and how souls are purified. Allah (ﷻ) says:

﴾Indeed, Allah conferred a great favour on the believers when He

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[35] *Manhaj at-Tarbiyah al-Islâmiyah* by Muhammad Quṭb, Pp. 34, 35.
[36] *Adh-Dhilâl*, 6/3565.

sent among them a Messenger [Muhammad] from among themselves, reciting unto them His Verses [the Qur'an], and purifying them [from sins by their following him], and instructing them [in] the Book [the Qur'an] and *al-Ḥikmah* [the wisdom and the Sunnah of the Prophet (i.e. his legal ways, statements and acts of worship)], while before that they had been in manifest error.﴿

(Qur'an 3: 164)

He was keen to understand the teachings of the Prophet (ﷺ) with regard to war and peace.

'Umar developed a deep knowledge of the Sunnah, which gave him a solid understanding of Islam. He stayed with the Messenger of Allah (ﷺ) and listened to him and learned from him. When he sat in a gathering with the Prophet (ﷺ), he would not leave that gathering until it ended. He was also keen to ask the Prophet (ﷺ) about anything that bothered him.[37] From the Messenger of Allah (ﷺ) he acquired knowledge of the aims of this great religion. The Messenger of Allah (ﷺ) paid special attention to him and took care of him. The Messenger of Allah (ﷺ) testified to his knowledge, as he said: «"Whilst I was sleeping, a cup of milk was brought to me and I drank from it until I could see its wetness emerging from my fingertips, then I gave the leftovers to 'Umar." They said: "How did you interpret that, O' Messenger of Allah?" He said: "(It refers to) knowledge."»[38]

Ibn Ḥajar said: "What is meant by knowledge here is knowledge of how to deal with people according to the Book of Allah and the Sunnah of the Messenger of Allah (ﷺ)."[39] This knowledge could not be acquired by anyone except one who strove hard to learn that which

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[37] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Abu an-Naṣr, p. 91.

[38] Bukhari, hadith no. 3681.

[39] *Fatḥ al-Bâri*, 7/36.

might help him to understand the Book of Allah and the Sunnah of His Prophet. The means to achieve that are: immersing oneself in study of Arabic language and literature, and being acquainted with all its literary styles, as well as acquiring all the knowledge and experience that will enable one to understand it. Such was 'Umar.[40]

There was a deep love between the Messenger of Allah (ﷺ) and 'Umar, and love is an important factor in creating a suitable atmosphere between teacher and student that will produce the best results. 'Umar loved the Messenger of Allah (ﷺ) deeply and prepared to sacrifice himself for him. It is narrated in the hadith that the Messenger of Allah (ﷺ) said: «"No one of you truly believes until I am more beloved to him than his father, his son and all the people."[41] 'Umar said to him, "By Allah, O' Messenger of Allah, you are more beloved to me than everyone except myself." He said, "No, O' 'Umar, not until I am more beloved to you than your own self." He ('Umar) said, "You are more beloved to me than my own self." He said, "Now (you have got it right), O' 'Umar."»[42]

«One day, 'Umar asked permission to perform 'Umrah, and the Prophet (ﷺ) said to him: "Do not forget us in your *du'â'*, O' my brother."[43] 'Umar said, "There is nothing else under the sun that is dearer to me than the fact that he said, 'O' my brother'."»[44]

This sublime love is what made him stay close to the Messenger of Allah (ﷺ) during all his battles. That gave him a great

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40 *'Umar ibn al-Khaṭṭâb* by Dr. Muhammad Abu an-Naṣr, p. 93.

41 Bukhari, hadith no. 15.

42 Bukhari, hadith no. 6632.

43 Abu Dawood, *aṣ-Ṣalâh,* no. 1498; Tirmidhi, *ad-Da'wât,* hadith no. 3562 (he said: this is a *ṣaḥeeḥ ḥasan* hadith); Ibn Mâjah, *al-Manâsik,* hadith no. 2894. All these reports were narrated from 'Umar, but there are those who class them as *ḍa'eef* (weak).

44 Ibid.

deal of training in the affairs of war, and brought him much knowledge of the nature and inclinations of human beings. His staying close to the Prophet (ﷺ) and speaking to him made him become eloquent, fluent and clear of speech, and granted him the ability to say things in a variety of styles.[45] In this book we will see his attitude in battle when fighting alongside the Messenger of Allah (ﷺ), and some glimpses of his social life during the lifetime of the Prophet (ﷺ).

2.1. 'Umar on the battlefield with the Messenger of Allah (ﷺ)

The scholars are agreed that 'Umar (رضي الله عنه) was present at Badr and Uḥud and all the other battles at which the Messenger of Allah (ﷺ) was present; he did not miss any battle or campaign in which the Messenger of Allah (ﷺ) fought.[46]

2.1.1. The battle of Badr

'Umar took part in the Battle of Badr. When the Messenger of Allah (ﷺ) consulted his Companions before the battle, Abu Bakr (رضي الله عنه) was the first one to speak, and he spoke well and called for fighting the *kâfirs*. Then 'Umar (رضي الله عنه) spoke, and he spoke well and called for fighting the *kâfirs*.[47] The first Muslim to be martyred on the day of Badr was Mihja'[48], the freed slave of 'Umar.[49] 'Umar ibn al-

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[45] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Abu an-Naṣr, p. 94.

[46] *Manâqib Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb* by Ibn al-Jawzi, p. 89.

[47] *Al-Fârooq ma'a an-Nabi*, by Dr. Âṭif Lamâḍah, p. 32.

[48] *Aṭ-Ṭabaqât* by Ibn Sa'd, 3/391, 392; this report is *ḍa'eef* (weak) because of interruptions in its isnad.

[49] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 2/388; *Ṣaḥeeḥ at-Tawtheeq*, p. 187.

Khaṭṭâb killed his maternal uncle al-'Âṣ ibn Hishâm[50], not caring at all about any ties of kinship with him in comparison to the ties of faith. Indeed he used to boast about that, as a means of affirming this principle. After the battle ended, he suggested killing the *mushrik* prisoners of war. This event offers great lessons which I have discussed in my book on the Prophet's biography which is entitled *as-Seerah an-Nabawiyah 'Araḍ Waqâ'i' wa Taḥleel Aḥadâth*.

When al-'Abbâs, the paternal uncle of the Prophet (ﷺ), was taken captive, 'Umar was keen for him to be guided to Islam, and he said to him: "O 'Abbâs, become Muslim, for by Allah, if you become Muslim that will be dearer to me than if al-Khaṭṭâb were to become Muslim. That is only because I saw that the Messenger of Allah (ﷺ) wishes that you would become Muslim."[51]

Also among the prisoners was Suhayl ibn 'Amr, the spokesman of Quraysh. 'Umar said to the Messenger of Allah (ﷺ): «"O' Messenger of Allah, let me knock out the front teeth of Suhayl ibn 'Amr so that his tongue will protrude and he will never stand and deliver speeches against you in any place." The Messenger of Allah (ﷺ) said: "I will not mutilate him lest Allah mutilate me even though I am a Prophet. Perhaps there will come a time when he will stand and speak in such a way that you will not be able to criticize him."»[52] And this is in fact what happened after the Messenger of Allah (ﷺ) passed away. A number of the people of Makkah thought of apostatizing from Islam, and the governor of Makkah, 'Atâb ibn Usayd, was afraid of them and hid himself. Suhayl ibn 'Amr stood up and praised and glorified Allah, then he mentioned the death of the Prophet (ﷺ) and said: "That only makes Islam stronger, for whoever

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[50] *Al-Khilâfah wa al-Khulafa' ar-Râshideen* by al-Bahnasâwi, p. 154.

[51] *Al-Bidâyah wa an-Nihâyah*, 3/298.

[52] Ibid, 3/311.

causes trouble, we will strike his neck (kill him)." So the people gave up that idea.[53]

'Umar narrated a hadith which he heard from the Messenger of Allah (ﷺ), when he addressed the *mushrikeen* of Makkah who had been killed at Badr. It was narrated that Anas said: «"We were with 'Umar between Makkah and Madeenah, watching for the new moon. I had good eyesight, and I saw it and said to 'Umar, 'Don't you see it?' He said, 'I will see it when I am lying in my bed.' Then he started telling us about the people of Badr. He said, 'The Messenger of Allah (ﷺ) started to show us where they (the *mushrikeen*) would fall the following day, saying, 'This is where So and so will fall tomorrow if Allah wills, this is where So and so will fall tomorrow, if Allah wills.' And they fell in those places. I said, 'By the One Who sent you with the truth, they fell in those places.' They fell there, then he ordered that they be thrown into a dry well. Then he went towards them and said, 'O' So and so, O' So and so, have you found what your Lord promised you to be true? For I have found what my Lord promised me to be true.' 'Umar said, 'O' Messenger of Allah, are you speaking to people who have become rotten corpses?' He said, 'You do not hear what I am saying any better than they do, but they cannot answer'.' "»[54]

When 'Umayr ibn Wahb came to Madeenah, before he was Muslim, seeking to kill the Messenger of Allah (ﷺ) after the battle of Badr, 'Umar ibn al-Khaṭṭâb was among a group of Muslims who were talking about the day of Badr and remembering how Allah had honoured them and granted victory to them. When 'Umar spotted 'Umayr ibn Wahb, who had made his camel kneel at the door of the mosque and had his sword by his side, he said: "This dog is the

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[53] *At-Târeekh al-Islâmi* by al-Humaydi, 4/181.

[54] *Musnad Aḥmad,* hadith no. 182, *al-Mawsoo'ah al-Fiqhiyah.* Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari and Muslim.

enemy of Allah 'Umayr ibn Wahb! He has only come for some evil purpose and he is the one who stirred up trouble for us on the day of Badr." Then he went to the Messenger of Allah (ﷺ) and said: «"O' Prophet of Allah, this enemy of Allah, 'Umayr ibn Wahb, has come with his sword by his side." He said: "Bring him in to me." 'Umar went and took hold of the strap of his sword that was around his neck, and said to the Anṣâr who were with him: "Come in to where the Messenger of Allah (ﷺ) is and sit with him, and guard him against this evildoer, for he is not to be trusted." Then he took him in to the Messenger of Allah (ﷺ). When the Messenger of Allah (ﷺ) saw him, with 'Umar holding on to the strap of his sword which was around his neck, he said: "Let him go, O' 'Umar. Come here, O' 'Umayr." So he came closer and said, *"An'imu ṣabâhan* (good morning)," which was the greeting of the people of *Jâhiliyah*. The Messenger of Allah (ﷺ) said: "Allah has honoured us with a greeting that is better than your greeting, O' 'Umayr; (it is) *salâm*, the greeting of the people of Paradise."[55] He asked: "Why have you come, O' 'Umayr?" He said: "I have come because of that prisoner whom you are holding; treat him well." He asked: "What is this sword around your neck?" He answered: "What useless swords they are! Did they help us in any way?" He (the Prophet) asked: "Tell me the truth, why have you come?" He answered: "I only came because of that (prisoner)." He said: "No, rather you sat down with Safwân ibn Umayyah in al-Ḥijr, and you spoke about the people in the well at Badr, then you said, 'Were it not that I have debts and dependents, I would go out and kill Muhammad.' So Safwân ibn Umayyah took responsibility for your debts and dependents, on condition that you kill me for him. But Allah is protecting me from you." 'Umayr said: "I bear witness that you are the Messenger of Allah, for, O' Messenger of Allah, we disbelieved the news that you brought from

[55] See *Ṣaḥeeḥ as-Seerah an-Nabawiyah* by al-'Ali, p. 259.

heaven and the revelation that came down to you. But this is a matter in which no one else was present except Safwân and myself. By Allah I know that no one gave this knowledge to you except Allah. Praise be to Allah Who has guided me to Islam. Allah caused me to come here." Then he spoke the words of truth and the Messenger of Allah (ﷺ) said: "Teach him his religion, teach him Qur'an and set his prisoner free."» So they did that.[56]

From this story we can see the sense of security that was a distinguishing characteristic of 'Umar (رضي الله عنه). He noticed the arrival of 'Umayr ibn Wahb and alerted others, and declared that he was a devil who had only come for an evil purpose. His history was known to 'Umar, for he had persecuted the Muslims in Makkah, and he was the one who had incited (the *mushrikeen*) to fight the Muslims at Badr and had gathered information about their numbers. Hence 'Umar began to take steps to protect the Messenger of Allah (ﷺ) and what he did was to hold 'Umayr firmly by the strap of the sword that was around his neck, thus preventing the possibility of him using that sword to attack the Messenger of Allah (ﷺ). And he ordered a number of the *Ṣaḥâbah* to guard the Prophet (ﷺ).[57]

2.1.2. The battles of Uḥud, Banu Muṣṭalaq and al-Khandaq

Among the attributes that 'Umar displayed in jihad were high ambition, a refusal to feel belittled and a determination to rise above humiliation when defeat seemed imminent, as happened in the battle of Uḥud, the second major battle that he fought alongside the Messenger of Allah (ﷺ). At the end of the battle, when Abu Sufiyân

[56] *Ṣaḥeeḥ as-Seerah an-Nabawiyah*, p. 360.

[57] *As-Seerah an-Nabawiyah, 'Arad Wâqi' wa Taḥleel Aḥâdâth* by aṣ-Ṣallâbi, p. 868.

stood up and said: «"Is Muhammad among the people?" The Messenger of Allah (ﷺ) said, "Do not answer him." He then asked, "Is the son of Abu Quḥâfah among the people?" He (ﷺ) said, "Do not answer him." He (Abu Sufiyân) asked: "Is the son of al-Khaṭṭâb among the people?" Then Abu Sufiyân said: "These people must have been killed, for if they were alive they would have answered." Then 'Umar could not help saying, "You are lying, O' enemy of Allah! Allah has kept for you that which will bring you humiliation." Abu Sufiyân said: "Hubal has prevailed." The Prophet (ﷺ) said: "Answer him." They asked: "What should we say?" He said: "Say, Allah is All-Great and more sublime." Abu Sufiyân said: "We have al-'Uzza and you have no 'Uzza." The Prophet (ﷺ) said: "Answer him." They asked the Prophet: "What should we say?" He (ﷺ) said: "Say, Allah is our Guardian and you have no Guardian." Abu Sufiyân said: "A day for the day of Badr; the war is not over. You will find mutilation that I did not order, but it did not upset me."»[58] According to another report, 'Umar said: "There is no comparison. Our slain are in Paradise and your slain are in Hell."[59] Abu Sufiyân came to him and said: "I adjure you by Allah, O' 'Umar, did we kill Muhammad?" 'Umar said, "No, by Allah. He is listening to what you say now." He said: "I believe you more than I believe Ibn Qami'ah" — for Ibn Qami'ah had said to them, "I killed Muhammad."[60]

The fact that Abu Sufiyân asked about the Messenger of Allah (ﷺ), Abu Bakr and 'Umar clearly indicates that the *mushrikeen* were concerned about these three more than any others, because they knew that they were the leaders of Islam, by whose efforts Islam had become established; they were the pillars of its state and system. The

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[58] Bukhari, *al-Maghâzi*, hadith no. 4040; *As-Seerah an-Nabawiyah*, 2/392.

[59] *As-Seerah an-Nabawiyah aṣ-Ṣaḥeeḥah*, 2/392.

[60] *Ṣaḥeeḥ at-Tawtheeq fee Seerah wa Ḥayât al-Fârooq*, p. 189.

mushrikeen thought that if they died, Islam would not survive. The silence in response to Abu Sufiyân's initial questions was aimed at belittling him, but when he began to express joy and arrogance, they told him what was really the case and responded to him with courage.[61]

During the battle of Banu al-Muṣṭalaq, 'Umar played a distinguished role. We will let an eyewitness tell us what he saw. Jâbir ibn 'Abdullâh al-Anṣâri said: "We were on a campaign and a man from among the *Muhâjireen* kicked a man from among the Anṣâr. The Anṣâri said: "Help me, O' Anṣâr!" and the *Muhâjir* said, "Help me, O' *Muhâjireen*!" (seeking their support in a fight). The Messenger of Allah (ﷺ) heard that and said: "Stop it, for it (i.e., tribalism) is no good." 'Abdullâh ibn Ubayy heard about that and said: "Have they gone so far? When we go back to Madeenah, the more honourable (meaning himself) will expel therefrom the meaner [meaning the Messenger of Allah (ﷺ)]." 'Umar heard that and went to the Prophet (ﷺ) and said: "O' Messenger of Allah, let me strike the neck of this hypocrite!" The Prophet (ﷺ) said: "Leave him alone. Let it not be said that Muhammad is killing his Companions."[62]

According to another report, 'Umar ibn al-Khaṭṭâb said: "Tell 'Abbâd ibn Bishr to kill him ('Abdullâh ibn Ubayy)." The Messenger of Allah (ﷺ) said to him: "What do you think, O' 'Umar, if the people start saying that Muhammad is killing his Companions? No. rather tell the people that it is time to move on." That was at a time when the Messenger of Allah (ﷺ) would not ordinarily have moved on, but the people moved on.[63] From the attitude and instructions of the Prophet (ﷺ), 'Umar understood that it was the matter of pros and cons. This is clear from the words of the Prophet

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[61] *As-Seerah an-Nabawiyah aṣ-Ṣaḥeeḥah*, 2/392.

[62] Ibid, 2/409.

[63] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 3/319.

(ﷺ): "What do you think, O' 'Umar, if the people start saying that Muhammad is killing his Companions?"[64] The aim here was to protect his political reputation and preserve internal unity. There was a huge difference between the people speaking about the love that the Companions of Muhammad had for Muhammad (ﷺ), as was affirmed by their leader Abu Sufiyân who said, "I have never seen anyone love anyone as much as the Companions of Muhammad love Muhammad,"[65] and the people saying that Muhammad was killing his Companions. No doubt if that had happened, there would have been attempts on the part of the enemy to infiltrate the Muslims in Madeenah, as they would not be despairing of ever achieving anything in the face of such love and devotion.[66]

During the battle of al-Khandaq, Jâbir narrated that 'Umar ibn al-Khaṭṭâb came on the day of al-Khandaq after the sun had set, and he started to curse the *kuffâr* of Quraysh and said: "O' Messenger of Allah, I could hardly pray until the sun had almost set." The Prophet (ﷺ) said: "I too have not prayed, by Allah." So we went down into the valley of Buṭ-ḥân. He did *wuḍoo'* — ablution — for prayer and we did likewise. Then he prayed *'Aṣr* after the sun had set, and after that he prayed *Maghrib*.[67]

2.1.3. The treaty of al-Ḥudaybiyah, the march to Hawâzin, and the battle of Khaybar

In al-Ḥudaybiyah, the Messenger of Allah (ﷺ) called 'Umar to send him to Makkah and tell the leaders of Quraysh why he had come. He said: "O' Messenger of Allah, I am afraid that Quraysh may kill me, for there is no one of Banu 'Adiyy ibn Ka'b in Makkah

[64] *As-Seerah an-Nabawiyah aṣ-Ṣaḥeeḥah*, 2/409.
[65] *At-Tarbiyah al-Qiyâdiyah*, 3/463.
[66] Ibid, 3/463.
[67] Bukhari, hadith no. 571.

who can protect me. Quraysh knows of my enmity and harsh attitude towards them. But I will tell you of a man who is more able to do that than me: 'Uthmân ibn 'Affân." So the Messenger of Allah (ﷺ) called 'Uthmân ibn 'Affân and sent him to Abu Sufiyân and the leaders of Quraysh, to tell them that he had not come to wage war, rather he had come to visit this House (the Ka'bah) and venerate its sanctity.[68] After an agreement had been reached, but before the treaty documents were signed, there was strong opposition among the Muslims to this agreement, especially with regard to the two conditions to which the Prophet (ﷺ) had committed, namely the condition which obliged him to send back any Muslim who came to join the Muslims in Madeenah, whereas Quraysh were not obliged to send back any Muslims who apostatized and came to join them, and the condition which obliged the Muslims to go back from al-Ḥudaybiyah to Madeenah without entering Makkah that year. Those who objected most strongly to this agreement were 'Umar ibn al-Khaṭṭâb, Usayd ibn Ḥuḍayr, the chief of al-Aws, and Sa'd ibn 'Ubâdah, the chief of al-Khazraj. Historians state that 'Umar ibn al-Khaṭṭâb came to the Messenger of Allah (ﷺ) to voice his objection to this agreement and said to the Messenger of Allah (ﷺ): «"Are you not the Messenger of Allah?" He said, "Yes." He asked: "Are we not Muslims?" He said, "Yes." He then asked: "Are they not *mushrikeen*?" He said: "Yes." He ('Umar) asked: "Then why should we accept this humiliating deal?" He (ﷺ) said: "I am the Messenger of Allah and I will not disobey Him."[69] According to another report: "I am the slave of Allah and His Messenger; I will never go against His command and He will never forsake me."»[70] ['Umar] asked: "Did you not tell us that we would go to the House and

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[68] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 2/228; *Akhbâr 'Umar*, p. 34.

[69] From Ma'een, *as-Seerah* by ash-Shâmi, p. 333.

[70] Bukhari, hadith no. 3011; *Târeekh aṭ-Ṭabari*, 2/634.

circumambulate it?" He said: "Yes, but did I tell you that you would go there this year?" I said, "No." He (ﷺ) said: "You will go to it and circumambulate it." 'Umar said: "I went to Abu Bakr and said to him, 'O' Abu Bakr, is he not the Messenger of Allah?' He said, 'Yes.' I asked, 'Are we not Muslims?' He said, 'Yes.' I then asked, 'Are they not *mushrikeen*?' He said, 'Yes.' I said, 'Then why should we accept this humiliating deal?' Abu Bakr (ﷺ) said, advising 'Umar to stop arguing and objecting, 'Listen to him, for I bear witness that he is the Messenger of Allah, and that the truth is what he enjoins. He will never go against the command of Allah and Allah will never forsake him.'"[71]

After the sad incident of Abu Jandal, the *Ṣaḥâbah* renewed their objections to the treaty, and a group of them, including 'Umar ibn al-Khaṭṭâb, went to the Messenger of Allah (ﷺ) to discuss it with him and voice their objections anew. But by means of the patience, wisdom, forbearance and persuasiveness that Allah had given him, the Prophet (ﷺ) was able to convince them of the soundness of the treaty, that it was in the interests of the Muslims and was a victory for them[72], and that Allah would grant the weak and oppressed such as Abu Jandal a way out. What the Prophet (ﷺ) spoke of came to pass. 'Umar learned from the Messenger of Allah (ﷺ) how to respect honest opposition; hence we see that during his caliphate he encouraged the *Ṣaḥâbah* to voice sound opinions that served the public interest.[73] Freedom of opinion is guaranteed in the Islamic society, and the individual in a Muslim society has the right to express his opinion freely, even if this opinion differs from that of some ruler or caliph. One of the rights of the Muslim individual is to express his point of view in an atmosphere of safety and security,

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[71] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 3/634.

[72] *Ṣulḥ al-Ḥudaybiyah* by Bâshameel, p. 270.

[73] *Al-Qiyâdah al-'Askariyah fee 'Ahd Rasool-Allâh*, p. 495.

with no fear that some dictatorship will strangle the freedom of thought and speech. From 'Umar's objection to the Messenger of Allah (ﷺ) we understand that objection to the head of the state in some matter is not a crime that deserves to be punished or for which a person deserves to disappear into the prison system.[74]

This attitude of 'Umar's was not based on any kind of doubt or suspicion with regard to the way things were going; rather he was seeking an explanation for something he did not understand. He was eager to see the *kuffâr* humiliated, as he was known for supporting Islam.[75] After he came to understand the wisdom behind (the treaty), he said of his attitude concerning al-Ḥudaybiyah: "I kept on giving charity, fasting, praying and freeing slaves, because of what I had done that day, for fear of the words that I had spoken, so I hope that it was the cause of something good."[76]

In Sha'bân of 7 A.H., the Messenger of Allah (ﷺ) sent 'Umar ibn al-Khaṭṭâb to Turbah[77] at the head of thirty men, to some people of Hawâzin who were lagging behind. Turbah is near al-Qubala', four stages from Makkah. He set out, accompanied by a guide from Banu Hilâl[78], travelling by night and hiding by day. News of that reached Hawâzin and they fled. 'Umar came to the place where they had been but he did not encounter any one of them, so he left and headed back towards Madeenah.[79] According to one report, the Hilâli guide said to him: "Do you want to attack another group from

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[74] *Ghazwat al-Ḥudaybiyah* by Abu Fâris, Pp. 134, 135.

[75] *Ṣaḥeeḥ at-Tawtheeq fee Seerat wa Ḥayât al-Fârooq*, p. 191.

[76] *Mukhtasar Minhâj al-Qâṣideen*, p. 283; *Farâ'id al-Kalâm li'l-Khulafa'*, p. 139.

[77] Turbah is a valley that lies to the east of the Ḥijâz and extends towards Najd.

[78] Hilâl ibn 'Âmir ibn as-Ṣa'ṣa'ah ibn Mu'âwiyah ibn Bakr ibn Hawâzin.

[79] *Aṭ-Ṭabaqât* by Ibn Sa'd, 3/272.

Khash'am, who are on the move because there is drought in their land?" 'Umar said: "The Messenger of Allah (ﷺ) did not give me any instructions concerning them, rather he told me to go and fight Hawâzin in Turbah."[80] This campaign teaches three things concerning military matters:

1. That 'Umar had become qualified to command troops. If that were not the case, the Prophet (ﷺ) would not have appointed him to lead one of the Muslim campaigns that went into an extremely dangerous area, against one of the strongest and most powerful of the Arab tribes.
2. That 'Umar, who travelled by night and hid by day, was following the principle of catching the enemy unawares, which is one of the most important principles of war. This enabled him to catch the enemy off guard and cause them to flee, and in this manner his small troop was able to achieve victory over the more numerous forces of the *mushrikeen*.
3. 'Umar implemented both the letter and the spirit of the commands of his superior, never deviating from them. This is the essence of military discipline in all eras and all places.[81]

During the battle of Khaybar, when the Messenger of Allah (ﷺ) drew lose to Khaybar, he gave the flag to 'Umar ibn al-Khaṭṭâb. Some of the people went with 'Umar to attack the people of Khaybar, then 'Umar and his companions retreated and went back to the Messenger of Allah (ﷺ). The Messenger of Allah (ﷺ) said: "Tomorrow I will give the flag to a man who loves Allah and His Messenger, and Allah and His Messenger love him." The next day, both Abu Bakr and 'Umar hoped for it, but he called 'Ali, who was suffering from an eye disease, spat dryly in his eyes, and gave him the

[80] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 2/228; *Akhbâr 'Umar*, p. 34.
[81] *Al-Fârooq al-Qâ'id*, Pp. 117, 118 by Sheet Khaṭṭâb.

flag. Some of the people got up with him and they fought the people of Khaybar, among whom was Marhab who was reciting lines of inflammatory verse. He and 'Ali engaged in solitary combat, and 'Ali struck him such a blow on the head that his sword broke on his helmet and the people in the camp heard that blow. Soon the rest of the people joined 'Ali and fought until Allah granted them victory.

When they came back from Khaybar, some of the Companions of the Prophet (ﷺ) said, «"So and so is a martyr." But the Messenger of Allah (ﷺ) said, "No he is not. I saw him in Hell wearing a cloak that he stole from the war booty." Then the Messenger of Allah (ﷺ) said, "O' son of al-Khaṭṭâb, go and announce to the people that no one will enter Paradise except the believers." So I went out and announced that no one would enter Paradise except the believers.»[82]

2.1.4. The Conquest of Makkah and the battles of Ḥunayn and Tabook

When Quraysh broke the treaty of al-Ḥudaybiyah, they were afraid of the danger they faced from Madeenah, so they sent Abu Sufiyân to renew the treaty and increase its duration. He came to the Messenger of Allah (ﷺ) and met his daughter Umm Ḥabeebah (رضي الله عنها) at her house , but to no avail. He went to the Messenger of Allah (ﷺ) and spoke to him, but he did not answer him. Then he went to Abu Bakr and asked him to speak to the Messenger of Allah (ﷺ) on his behalf, but he said, "I will not do it." Then he went to 'Umar ibn al-Khaṭṭâb and spoke to him. He said: "Should I intercede for you with the Messenger of Allah (ﷺ)? By Allah, if I had nothing but a small ant, I would fight you with it."[83]

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[82] Its isnad is *ḥasan* and its narrators are those quoted by Bukhari and Muslim. *Al-Mawsoo'ah adh-Dhahabiyah Musnad Aḥmad,* no. 203.

[83] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 2/265; *Akhbâr 'Umar,* p. 37.

When the Messenger of Allah (ﷺ) had completed his preparations for the march on Makkah, «Ḥâṭib ibn Abi Balta'ah wrote a letter to the people of Makkah, telling them that the Prophet (ﷺ) was moving in their direction, but Allah caused His Prophet to know of that letter by means of the Revelation, so he was able to nip this problem in the bud. The Prophet (ﷺ) sent 'Ali and al-Miqdâd who caught the woman who was carrying the letter in Rawḍat Khâkh, twelve miles from Madeenah. They threatened to examine her if she did not give them the letter, so she handed it over. Then the Prophet (ﷺ) summoned Ḥâṭib to investigate the matter. He said: "O' Messenger of Allah, do not be hasty with me. I was a man who was an ally of Quraysh, but I was not one of them. The *Muhâjireen* who are with you have relatives who will protect their families and wealth, but I do not have such blood ties, so I wanted to do them a favour so that they would protect my relatives there. I did not do it because I wanted to apostatize from my religion or because I approved of *kufr* after having become Muslim." The Messenger of Allah (ﷺ) said, "He had told you the truth." 'Umar said, "O' Messenger of Allah, let me strike the neck of this hypocrite!" The Prophet (ﷺ) said, "He was present at Badr, and you do not know, perhaps Allah looked upon those who were present at Badr and said, 'Do what you wish, for I have forgiven you.' "»[84] From the discussion that took place between the Messenger (ﷺ) and 'Umar ibn al-Khaṭṭâb about the case of Ḥâṭib we may learn several lessons, including the following:

- That the punishment for spying is execution. 'Umar mentioned that and the Messenger (ﷺ) did not deny it, but he did not allow him to carry out the punishment because he (Ḥâṭib) had been present at Badr.

- That 'Umar took the matter of religion very seriously, as was

[84] Bukhari, *al-Maghâzi*, hadith no. 4274.

demonstrated when he asked permission to strike the neck of Ḥâṭib (i.e., execute him).

❖ That a major sin does not nullify faith. What Ḥâṭib did was a major sin, namely spying, but nevertheless he was still a believer.

❖ 'Umar described Ḥâṭib as a hypocrite in the linguistic sense of the word, not in the technical *shar'i* sense of one who inwardly conceals *kufr* whilst making an outward display of being Muslim. What 'Umar meant was that Ḥâṭib felt one thing inwardly and did something else outwardly, when he sent his letter that conflicted with the faith for which he was going out to fight and shed his blood.[85]

❖ 'Umar calmed down after he heard what the Messenger of Allah (ﷺ) said. Within seconds, he turned from an angry man who was calling for Ḥâṭib to be punished for this major sin, to a man who wept with fear (of Allah) and said: "Allah and His Messenger know best." That is because his anger was for the sake of Allah and His Messenger, so when he understood that what was pleasing to Allah and His Messenger (ﷺ) was something other than what he thought, he overlooked Ḥâṭib's mistake and treated him with kindness, out of respect for his record of jihad.[86]

When the Messenger of Allah (ﷺ) stopped in Marr adh-Dhahrân and Abu Sufiyân feared for his life, al-'Abbâs, the paternal uncle of the Messenger of Allah (ﷺ), asked the Messenger of Allah (ﷺ) to give him protection and he agreed. Al-'Abbâs ibn 'Abdul-Muṭṭalib said that he said: "Woe to you, O' Abu Sufiyân! Here is the Messenger of Allah (ﷺ) among the people, what a terrible day for Quraysh!" He said, "What can I do, may my father and mother be

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[85] *As-Seerah an-Nabawiyah* by Ibn Fâris, p. 404.

[86] *At-Târeekh al-Islâmi*, 7/176, 177.

sacrificed for you?" I said: "If he catches you he will strike your neck; ride behind me on this mule until I bring you to the Messenger of Allah (ﷺ) and ask him to guarantee your safety." So he rode behind me and his two companions went back. I brought him, and every time we passed a fire of the Muslims, they said, "Who is this?" and when they saw the mule of the Messenger of Allah (ﷺ) and me riding it, they said, "It is the paternal uncle of the Messenger of Allah (ﷺ) on his mule." Then when I passed the fire of 'Umar ibn al-Khaṭṭâb he said, "Who is this?" and got up to meet me. When he saw Abu Sufiyân on the back of the animal he said, "Abu Sufiyân, the enemy of Allah! Praise be to Allah who has enabled us to catch you without any deal or treaty." Then he went out, hurrying towards the Messenger of Allah (ﷺ). 'Umar met him and said: "O' Messenger of Allah, here is Abu Sufiyân! Allah has enabled us to catch him without any deal or treaty. Let me strike his neck!" I said: "O Messenger of Allah, I have offered him my protection." When 'Umar persisted I said, "Wait a minute, O' 'Umar! By Allah, if he was of Banu 'Adiyy you would not say that, but you know that he is a man of Banu 'Abd Manâf." 'Umar said, "Wait a minute, O' 'Abbâs! By Allah when you became Muslim that was dearer to me than if al-Khaṭṭâb had become Muslim, and the only reason for that was that I knew that if you became Muslim, that would be dearer to the Messenger of Allah (ﷺ) than if al-Khaṭṭâb were to become Muslim." The Prophet (ﷺ) said: «"O' 'Abbâs, take him to your camp, and in the morning bring him to me."»[87]

Such was the attitude of 'Umar (رضي الله عنه) when he saw the enemy of Allah passing through the Muslim ranks, protected by al-'Abbâs, the paternal uncle of the Prophet (ﷺ), appearing humiliated and scared. 'Umar wanted to execute the enemy of Allah as an act that

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[87] *As-Seerah an-Nabawiyah*, Pp. 518-520.

would bring him closer to Allah and an act of jihad for His sake, but Allah had decreed good for Abu Sufiyân and opened his heart to Islam, so his blood and his life were spared.[88]

During the battle of Ḥunayn, the *mushrikoon* caught the Muslim army unawares and the people fled, no one caring about anyone else. The Messenger of Allah (ﷺ) shifted his position towards the right, then he said: «"Where are you going, O' people? Come to me! I am the Messenger of Allah (ﷺ), I am Muhammad ibn 'Abdullâh!" But no one listened to him. The camels were bumping into one another and the people left, except for a few of the *Muhâjiroon* and Anṣâr and his family members, who stayed with him. Among those of the *Muhâjiroon* who stood firm with him were Abu Bakr and 'Umar, and among his family members were 'Ali ibn Abi Ṭâlib, al-'Abbâs ibn 'Abdul-Muṭṭalib and his son al-Faḍl, Abu Sufiyân ibn al-Ḥârith and his son, Rabee'ah ibn al-Ḥârith, and others.[89] Abu Qatâdah spoke of the stance of 'Umar during this campaign and said: "We went out with the Messenger of Allah (ﷺ) to Ḥunayn, and when we met the enemy, the Muslims had the upper hand at first. I saw a man of the *mushrikeen* on top of a Muslim man, so I struck him from behind on his shoulder with a sword and cut his chain mail (and cut off his arm). He turned around and squeezed me until I nearly died, then he let me go. I caught up with 'Umar ibn al-Khaṭṭâb and said, 'What is the matter with the people?' He said, 'It is the will of Allah.' Then they turned back."»[90]

Allah (ﷻ) said of this battle:

﴿Truly, Allah has given you victory on many battlefields, and on the day of Ḥunayn [battle] when you rejoiced at your great number, but it

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[88] *Al-Fârooq ma'a an-Nabi*, Dr. 'Âteef Lamâḍah, p. 42.

[89] *As-Seerah an-Nabawiyah* by Ibn Hishâm, 2/289; *Akhbâr 'Umar*, p. 41.

[90] Bukhari, hadith nos. 4066, 4067.

availed you naught and the earth, vast as it is, was straitened for you, then you turned back in flight.› *(Qur'an 9: 25)*

When Allah accepted the repentance of the believers, after they had almost been defeated, Allah granted victory to His close friends, after they came back to their Prophet and gathered around him. Then Allah sent down His reassurance and support to His troops. Allah (ﷻ) says, telling us of that:

‹Then Allah did send down His *Sakeenah* [calmness, tranquillity and reassurance] on the Messenger [Muhammad], and on the believers, and sent down forces [angels] which you saw not, and punished the disbelievers. Such is the recompense of disbelievers.› *(Qur'an 9: 26)*

«After the battle of Ḥunayn, the Muslims returned to Madeenah. Whilst they were passing through al-Ji'rânah[91], the Messenger of Allah (ﷺ) was grabbing handfuls of silver from the cloak of Bilâl (رضي الله عنه) and giving it to the people. A man came and said to the Messenger of Allah (ﷺ): "O' Muhammad, be fair!" The Messenger of Allah (ﷺ) said: "Woe to you! Who will be fair if I am not fair to you? You would be doomed and lost if I was not fair." 'Umar ibn al-Khaṭṭâb said, "O' Messenger of Allah, let me strike the neck of this hypocrite!" He said: "Allah forbid that the people should say that I am killing my Companions. This man and his companions read the Qur'an but it does not go any further than their throats.[92] They pass out of Islam like an arrow passing through game."»[93] This illustrates an important characteristic of 'Umar (رضي الله عنه): he could not bear to see

[91] Al-Ji'rânah is located ninety-nine kilometers NE of Makkah.

[92] This is explained in two ways: one is that their hearts do not understand it and what they recite of it does not benefit them, and they gain nothing from it except verbal recitation. The second interpretation is that no deed or recitation will be accepted from them.

[93] Muslim, haditrh no. 1063; Bukhari, hadith no. 3138.

ḥarâm actions being committed in front of him. For this man had transgressed against the sanctity of Prophethood. How quick 'Umar was to say, O' Messenger of Allah, let me kill this hypocrite! This was his reaction to one who transgressed against the sanctity of Prophethood.[94]

In al-Ji'rânah 'Umar responded to the request of the well-known *Ṣaḥâbi* Ya'la ibn Umayyah at-Tameemi to see the Messenger of Allah (ﷺ) when he was receiving Revelation. It was narrated from Safwân ibn Ya'la that Ya'la used to say, "I wish that I could see the Messenger of Allah (ﷺ) when (Revelation) is coming upon him."[95] He said: «Whilst the Prophet (ﷺ) was in al-Ji'rânah, shaded by a cloak, with some of his Companions sitting with him, a Bedouin came, wearing a jubbah and drenched in perfume, and said: "O' Messenger of Allah, what do you think about a man who has entered *iḥrâm* for 'Umrah wearing a *jubbah* and drenched with perfume?" 'Umar gestured to Ya'la, telling him to come, so Ya'la came, and saw the Prophet (ﷺ) red in the face and breathing heavily. That continued for a while, then it ceased and he said, "As for the perfume, wash it off three times, and as for the *jubbah*, take it off, then do in 'Umrah what you do in Ḥajj."»[96]

During the campaign of Tabook, 'Umar gave half his wealth in charity, and he suggested to the Messenger of Allah (ﷺ) to pray for blessing for the people when they suffered from hunger. It was narrated that Abu Hurayrah (رضي الله عنه) said: «"During the campaign of Tabook[97], the people were suffering from hunger. They said, 'O' Messenger of Allah, give us permission to slaughter our camels and

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[94] *Ṣaḥeeḥ at-Tawtheeq fee Seerah wa Ḥayât al-Fârooq*, p. 200.

[95] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 2/408.

[96] Bukhari, hadith no. 4700; Muslim, hadith no. 1180.

[97] Tabook is a place between Wâdi al-Qura and Syria.

eat them and store the fat.' The Messenger of Allah (ﷺ) said, 'Do that.' Then 'Umar came and said, 'O' Messenger of Allah, if they do that there will be too few riding-beasts. Rather tell them to bring any extra provision they have.' So one man brought a handful of grain, another brought a handful of dates, another brought a piece of bread, until a little food had been collected on a leather mat. Then the Prophet (ﷺ) prayed for *barakah* (blessing), and said, 'Fill your vessels.' So they filled their vessels until there was no vessel left in the camp that had not been filled, and they ate their fill and there was plenty left over. The Messenger of Allah (ﷺ) said, 'I bear witness that there is no god but Allah and that I am the Messenger of Allah. The man who meets his Lord without harbouring any doubt about these two (words of truth), would never be kept away from Paradise.' "»[98]

These are some of the attitudes of 'Umar in the battles in which he was present alongside the Messenger of Allah (ﷺ). Undoubtedly 'Umar learned a great deal from his participation in theses battle with the Messenger of Allah (ﷺ), which enabled him to lead and guide others.

2.2. 'Umar in the society of Madeenah

'Umar was very keen to remain close to the Messenger of Allah (ﷺ). If he sat in a gathering with the Messenger of Allah (ﷺ), he would not leave until it ended. He was one of the small group who did not leave the Prophet (ﷺ) as he was delivering a speech when a caravan arrived in Madeenah.[99] He would sit in the circles and

[98] Muslim, *Kitâb al-Eemân*, hadith no. 27, English translation: vol. 1, p. 21, hadith no. 42.

[99] *Al-Iḥsân fee Taqreeb Ṣaḥeeḥ Ibn Ḥibbân*, 15/300; Muslim, hadith no. 863.

lessons of the Messenger of Allah (ﷺ), enthusiastically seeking explanations, asking the Messenger of Allah (ﷺ) questions about both personal and general matters.[100] Hence he narrated five hundred and thirty-nine *aḥâdeeth* from the Prophet (ﷺ).[101] According to another report, he narrated five hundred and thirty seven.[102] Bukhari and Muslim are agreed in their *Ṣaḥeeḥs* on twenty-six of them; Bukhari narrated a further thirty-four, and Muslim narrated a further twenty-one.[103] The remainder appear in other books of hadith.[104] Allah enabled him to narrate *aḥâdeeth* of great importance concerning the topics of Islam, *Eemân* (faith), *iḥsân*, the Divine will and decree, knowledge, *dhikr*, *du'â'*, purification, prayer, funerals, zakah, charity, fasting, Ḥajj, marriage, divorce, lineages, shares of inheritance, wills, social issues, interactions with others, *ḥudood* punishments, clothing, food and drink, slaughtering of meat, morals and manners, asceticism (*zuhd*), heart-softening narrations (*ar-raqâ'iq*), biographies, tribulations (*al-fitan*), the Resurrection, and the appointment of caliphs, governors and judges. These *aḥâdeeth* were narrated in the different branches of knowledge and are still benefiting people today.[105] There follow some examples of 'Umar's learning from the Messenger of Allah (ﷺ) in Madeenah.

2.2.1. The Messenger of Allah (ﷺ) asking 'Umar about the one who came and asked questions

It was narrated from 'Abdullâh ibn 'Umar (رضي الله عنهما) that he said: «'Umar ibn al-Khaṭṭâb told me that whilst they were sitting with the

[100] See *'Umar ibn al-Khaṭṭâb*, by Dr. 'Ali al-Khaṭeeb, p. 108.
[101] *Târeekh al-Khulafa'* by as-Suyooṭi, p. 133.
[102] See: 'Umar ibn al-Khaṭṭâb by Dr. 'Ali al-Khaṭeeb, p. 109.
[103] *Daleel al-Fâliḥeen li Turuq Riyâḍ aṣ-Ṣâliḥeen*, 1/40.
[104] *'Umar ibn al-Khaṭṭâb* by Dr. 'Ali al-Khaṭeeb, p. 109.
[105] Ibid, p. 112.

Prophet (ﷺ), there came to him a man with a handsome face and handsome hair, wearing a white garment. The people looked at one another (and said), "We do not know this man, but he does not look like a traveller." Then the man said, "O' Messenger of Allah, shall I come to you?" He (ﷺ) said: "Yes." He came to him and sat with his knees touching his, and his hands on his thighs, and asked, "What is Islam?" He (the Prophet) said, "To bear witness that there is no god but Allah and that Muhammad is the Messenger of Allah, to establish prayer, to give zakah, to fast Ramaḍân and to go on Pilgrimage to the House." He then asked, "What is *Eemân* (faith)?" He answered: "To believe in Allah, His angels, Paradise and Hell, the resurrection and the divine will and decree, all of it (i.e., both good and bad)." He (the man) asked, "What is *iḥsân*?" He said, "To strive for Allah as if you can see Him, but even though you cannot see Him, He sees you." He asked, "When will the Hour come?" He (the Prophet) answered, "The one who is being asked about it does not know more than the one who is asking." He asked, "What are its portents?" He said, "When the naked, barefoot, destitute shepherds compete in constructing tall buildings, and when the slave women give birth to their masters."[106] Then he said: "Call the man back." They looked for him but they could not find him. Two or three days passed, then he said: "O son of al-Khaṭṭâb, do you know who was the one who asked about such and such?" He said: "Allah and His Messenger know best." He said: "That was Jibreel who came to teach you your religion."»[107]

This hadith indicates that 'Umar learned the meanings of Islam, faith and *iḥsân* via a question-and-answer method from the best of the angels and the best of the Messengers.

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[106] According to the Shaykh Aḥmad Shâkir edition: their mistresses.

[107] Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari and Muslim. *Musnad Aḥmad*, hadith no. 184.

2.2.2. 'Umar's opinion coinciding with that of the Messenger of Allah (Blessings and peace be upon him)

It was narrated that Abu Hurayrah said:

«We were sitting around the Messenger of Allah (ﷺ), and Abu Bakr and 'Umar were with us. The Messenger of Allah (ﷺ) stood up and left us, and was away from us for a long time. We got worried and got up. I was the first one to go and look for him, and I went out looking for the Messenger of Allah (ﷺ), until I came to a garden that belonged to the Anṣâr of Banu an-Najjâr. I went around it looking for a gate but I did not find one, but I saw a spring running through the garden, so I squeezed through the hole through which the spring flowed. I met the Messenger of Allah (ﷺ) and he said, "Abu Hurayrah?" I said, "Yes, O' Messenger of Allah." He asked, "What is the matter with you?" I said, "You were amongst us, then you went away for a long time, and we got worried about you. I was the first one to come and look for you, so I came to this garden and squeezed through (the hole) like a fox, and (the rest of) the people are behind me." He said, "O' Abu Hurayrah," giving me his sandals, "take these sandals of mine and whoever you meet outside the garden who bears witness that there is no god but Allah, believing it with certainty in his heart, give him the glad tidings of Paradise." The first one whom I met was 'Umar, and he asked, "What are these sandals, O' Abu Hurayrah?" I said, "These are the sandals of the Messenger of Allah (ﷺ). He has sent them with me and whomever I meet who bears witness that there is no god but Allah, believing it with certainty in his heart, I am to give him the glad tidings of Paradise." 'Umar struck me on the chest with his hand and I fell on my backside. He said, "Go back, O' Abu Hurayrah." So I went back to the Messenger of Allah (ﷺ) and I started to weep, and 'Umar followed me. The Messenger of Allah (ﷺ) again asked, "What is the matter with you, O' Abu

Hurayrah?" I said, "I met 'Umar and I told him what you had sent me to do.[108] Then he hit me on the chest and I fell on my backside and he said, 'Go back'." The Messenger of Allah (ﷺ) asked, "O' 'Umar, what made you do that?" He said, "O' Messenger of Allah, did you send Abu Hurayrah with your sandals to give glad tidings of Paradise to whomever he met who bore witness that there is no god but Allah, believing it with certainty in his heart?" He (the Prophet) said, "Yes." He said, "Do not do that, for I fear that the people will rely on that. Let them strive hard instead." The Messenger of Allah (ﷺ) said, "(Yes), let them do that."»[109]

2.2.3. The Prophet's keenness for the *Ṣaḥâbah* to acquire knowledge from one source

It was narrated from Jâbir ibn 'Abdullâh that: «The Prophet (ﷺ) saw a page of the Torah in 'Umar's hand and said, "Are you crazy, O' son of al-Khaṭṭâb? What I have brought to you is pure and white. If Moosa were alive he would not but follow me." According to another report: "If Moosa were alive and you followed him and forsook me, you would go astray."[110]

2.2.4. The Messenger of Allah (ﷺ) speaks of the beginning of creation

It was narrated that Ṭâriq ibn Shihâb said: «I heard 'Umar (رضي الله عنه) say, "The Prophet (ﷺ) stood up amongst us and told us about the beginning of creation, and until the people of Paradise took their places and the people of Hell took their places. Those who

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[108] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen,* 1/258.

[109] Muslim, *Kitâb al-Eemân,* hadith no. 31.

[110] *Al-Fatâwa,* 11/232; *Musnad Aḥmad,* 3/387, from Jâbir.

memorized it memorized it, and those who forgot it forgot it."»[111] This hadith speaks of the meeting with Allah, which is a concept that 'Umar learned from the Messenger of Allah (ﷺ).

2.2.5. The Messenger of Allah (ﷺ) forbade swearing by one's forefathers and urged putting one's trust in Allah

It was narrated from 'Abdullâh ibn 'Umar (ﷺ) that: «'Umar ibn al-Khaṭṭâb said: I heard the Messenger of Allah (ﷺ) say, "Allah forbids you to swear by your forefathers." 'Umar said, "By Allah, I never swore by them since I heard the Messenger of Allah (ﷺ) forbidding that, and I never spoke of them whether I was speaking on my own behalf or narrating what someone else had said."[112] And 'Umar heard the Prophet of Allah say: «"If your were to put your trust in Allah as you should, you would be given provision like the birds, who go out in the morning hungry and come back in the evening with full stomachs."»[113]

2.2.6. "I am pleased with Allah as my Lord, Islam as my religion and with Muhammad as my Prophet and Messenger"

It was narrated that Abu Moosa said: «The Prophet (ﷺ) was asked about things that he disliked, and when it became too much he got angry. Then he said to the people: "Ask me whatever you want." A man asked, "Who is my father?" He said, "Your father is

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[111] Bukhari, *Kitâb Bad' al-Khalq*, hadith no. 192.

[112] Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari. *Musnad Aḥmad*, hadith no. 122; *al-Mawsoo'ah al-Ḥadeethiyah*.

[113] Its isnad is *qawiy*. *Musnad Aḥmad* hadith no. 205, *al-Mawsoo'ah al-Ḥadeethiyah*.

Ḥudhâfah." Another man asked, "Who is my father?" He said, "Your father is Sâlim the freed slave of Shaybah."[114] When 'Umar saw the expression on the Prophet's face, he said, "O' Messenger of Allah, we repent to Allah."»[115] According to another report, «'Umar went down on his knees and said, "We are pleased with Allah as our Lord, Islam as our religion and Muhammad as our Prophet," then he kept quiet.»[116]

2.2.7. "No, not at all, rather it is for all the people"

It was narrated from Ibn 'Abbâs (ﷺ) that: «A man came to 'Umar ibn al-Khaṭṭâb and said, "A woman came to me to offer allegiance and I took her into a small room and did something with her that was less than intercourse." He said, "Woe to you, probably her husband is away (fighting in jihad) for the sake of Allah." Then words of Qur'an were revealed:

﴾And perform *aṣ-Ṣalâh* [*Iqâmat aṣ-Ṣalâh*], at the two ends of the day and in some hours of the night [i.e. the five compulsory *Ṣalât* (prayers)]. Verily, the good deeds remove the evil deeds [i.e. small sins]. That is a reminder [an advice] for the mindful [those who accept advice].﴿ *(Qur'an 11: 114)*

He said, "O' Messenger of Allah, is it just for me or for all the people?" He — meaning 'Umar — struck his chest with his hand and said, "No, not at all rather it is for all the people." And the Messenger of Allah (ﷺ) said, " 'Umar has spoken the truth."»[117]

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[114] Sa'd ibn Sâlim the free slave of Shaybah ibn Rabee'ah was a *Ṣaḥâbi. Maḥḍ aṣ-Ṣawâb*, 2/700.

[115] Bukhari, hadith no. 92; Muslim, hadith no 2360.

[116] Bukhari, hadith no. 93; Muslim, hadith no. 2359.

[117] *Musnad Aḥmad*, 4/41, hadith no. 2206. Aḥmad Shâkir said: its isnad is *ṣaḥeeḥ*.

2.2.8. Ruling on one who takes back his charity

It was narrated that 'Umar ibn al-Khaṭṭâb said: «"I provided a mount for the sake of Allah, but its owner neglected it. I wanted to buy it back and I thought that he would sell it cheaply. But I said, (I will not do anything) until I ask the Messenger of Allah (ﷺ). He (the Prophet) said, "Do not buy it, even if he gives it to you for a *dirham*, for the one who takes back his charity is like the dog that goes back to its vomit."»[118]

2.2.9. His charity and *waqfs*

It was narrated from Ibn 'Umar (ﷺ) that: «'Umar gave some property of his in charity at the time of the Messenger of Allah (ﷺ). It was called *Thamgh* and there were date palm trees there. 'Umar said: "O' Messenger of Allah, I have acquired some property which is very dear to me, and I want to give it in charity." The Prophet (ﷺ) said, "Give it in charity (as an endowment) on the condition that it will not be sold, given away or inherited, and its yields will be spend (on charitable purposes)." So 'Umar gave it in charity, and that gift of his was given for the sake of Allah, for (emancipation of) slaves, the poor, guests, wayfarers and kinsmen. There would be no sin on its administrator if he ate from it on a reasonable basis or fed his friends, without intending to become wealthy by its means.»[119]

According to another report: «'Umar acquired some land in Khaybar. He came to the Prophet (ﷺ) and said: "I have acquired some land in Khaybar and I have never acquired any property that is more precious than it. What do you command me to do with it?" He

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[118] Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari and Muslim. *Musnad Aḥmad*, hadith no. 281.

[119] Bukhari, *Kitâb al-Waṣâya*, hadith no. 2772, and other reports.

said, "If you wish, you may give it in charity (as an endowment)." So 'Umar gave it in charity on condition that it would not be sold, given away or inherited, for (the benefit of) the poor, kinsmen, slaves, for the sake of Allah, for guests and wayfarers. There would be no sin on its administrator if he ate from it on a reasonable basis or fed his friends, without intending to become wealthy by its means.»[120]

This attitude clearly demonstrates the virtue of 'Umar and his eagerness to do good deeds, and how he preferred the life of the Hereafter to the transient life of this world.

2.2.10. The Prophet's gifts to 'Umar ibn al-Khaṭṭâb and his son

It was narrated that Ibn 'Umar said: «'Umar saw a man wearing a *ḥullah* (suit) of brocade. He brought it to the Prophet (ﷺ) and said: "O' Messenger of Allah, why don't you buy this and wear it to meet the delegations of the people when they come to you." He said, "Silk is only worn by those who have no share (in the Hereafter)." Some time passed, then the Prophet (ﷺ) sent a *ḥullah* to him. He brought it to the Prophet (ﷺ) and said, "You sent this to me when you said what you said about a similar suit (or about the *ḥullah* of 'Aṭârid[121]?" He said, "I sent it to you so that you could make money from it."[122] According to another report, 'Umar gave it to a brother of his in Makkah who had not yet become Muslim.»[123]

As for the gift that the Prophet (ﷺ) gave to Ibn 'Umar, it was narrated that: «'Abdullâh ibn 'Umar said, "We were with the Prophet (ﷺ) on a journey, and I was riding a difficult camel that belonged to

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[120] Bukhari, *Kitâb al-Waṣâya*, hadith no. 2773, and other reports.

[121] i.e., 'Aṭârid at-Tameemi ad-Dârimi.

[122] Muslim, hadith no. 2068.

[123] Bukhari, *Kitâb al-Adâb*, hadith no. 5636.

'Umar. It would go out of my control and go ahead of the rest of the people, then 'Umar would rebuke it and make it go back. The Prophet (ﷺ) said to 'Umar, 'Sell it to me.' He said, 'It is yours, O' Messenger of Allah.' He said, 'Sell it to me.' So 'Umar sold it to the Messenger of Allah (ﷺ). Then the Prophet (ﷺ) said, 'It is yours, O' 'Abdullâh ibn 'Umar; do with it whatever you want.' "»[124]

2.2.11. 'Umar's encouragement to his son and glad tidings to Ibn Mas'ood

It was narrated from 'Abdullâh ibn 'Umar (رضي الله عنه) that: «The Messenger of Allah (ﷺ) said, "Among trees there is one whose leaves do not fall, and it is like the Muslim. Tell me what it is." The people started to suggest different kinds of desert trees. I thought to myself that it was the date-palm tree, but I felt too shy (to speak up). They said, "O' Messenger of Allah, tell us what it is." The Messenger of Allah (ﷺ) said, "It is the date palm." 'Abdullâh said, "I told my father what I had thought of, and he said, 'If you had said that, it would have been dearer to me than if I had such and such.' "»[125]

As for 'Umar's glad tidings to Ibn Mas'ood, 'Umar (رضي الله عنه) narrated that: «He stayed up late one night in the house of Abu Bakr with the Messenger of Allah (ﷺ), discussing the affairs of the Muslims. The Messenger of Allah (ﷺ) went out, and we went out with him, and there was a man standing and praying in the mosque. The Messenger of Allah (ﷺ) stood and listened to his recitation, and before we recognized whose voice it was, the Messenger of Allah (ﷺ) said, "Whoever would like to recite the Qur'an fresh as it was revealed, let him recite it according to the recitation of Ibn Umm

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[124] Bukhari, *Kitâb al-Buyoo'*, hadith no. 2009.

[125] Bukhari, *Kitâb al-'Ilm*, hadith no. 131.

'Abd. Then the man sat and said *du'â'*, and the Messenger of Allah (ﷺ) started saying to him, "Ask for you will be given, ask for you will be given." 'Umar said, "By Allah, I will go to him tomorrow and tell him this good news. The next day I went to him to tell him this good news, and I found that Abu Bakr had beaten me to it. I never tried to beat him to something good but he beat me to it."»[126]

2.2.12. His caution against innovation

It was narrated from al-Miswar ibn Makhramah[127] and 'Abdur-Raḥmân ibn 'Abdul-Qâri that they heard 'Umar ibn al-Khaṭṭâb say: «I heard Hishâm ibn Ḥakeem ibn Ḥizâm reciting *Soorah al-Furqân*, during the lifetime of the Prophet (ﷺ). I listened to his recitation, and found that he was reciting it in many versions (*ḥuroof*) that the Messenger of Allah (ﷺ) had not taught me. I nearly jumped on him whilst he was praying, but I waited until he said the *salâm*, then I collared him and said, "Who taught you to recite this *Soorah* that I heard you reciting?" He said, "The Messenger of Allah (ﷺ) taught it to me." I said, "You are lying, for by Allah the Messenger of Allah (ﷺ) taught me this *Soorah* that I heard." I took him to the Messenger of Allah and said to him, "O' Messenger of Allah, I heard this one reciting *al-Furqân* in a manner that you did not teach me, and you taught me *Soorah al-Furqân*." He (the Prophet) said, "O' Hisham, recite it." He recited it in the manner that I had heard, and the Messenger of Allah (ﷺ) said, "Thus it was revealed." Then he said, "Recite, O' 'Umar." So I recited it in the manner that he had taught me and the Messenger of Allah (ﷺ) said, "Thus it was revealed." Then the Messenger of Allah (ﷺ) said, "The

[126] Its isnad is *ṣaḥeeḥ*. *Musnad Aḥmad*, hadith no. 175; *al-Mawsoo'ah al-Ḥadeethiyah.*

[127] Az-Zuhri knew him and his father. He died in 64 A.H.

Qur'an was revealed with seven recitations, so recite whichever of them is easiest for you."»[128]

2.2.13. Take whatever comes to you of this wealth without you hoping for it or asking for it

It was narrated that 'Abdullâh ibn 'Umar said: «I heard 'Umar ibn al-Khaṭṭâb say, "The Messenger of Allah (ﷺ) would to give me a gift and I would say, 'Give it to someone who is poorer than I am.' Then one day he gave me some money and I said, 'Give it to someone who is poorer than I am.' The Messenger of Allah (ﷺ) said, 'Take it. Whatever of this wealth comes to you without you hoping for it or asking for it, accept it, and what you do not get, do not seek it.' "»[129]

2.2.14. The *du'â'* of the Messenger of Allah (ﷺ) for 'Umar (ﷺ)

«The Prophet (ﷺ) saw 'Umar wearing a white garment (or shirt) and said: "Is your garment new or has it been washed?" He said, "No, it has been washed." He said, "May you wear new garments, live a praiseworthy life, and die as a martyr."»[130]

2.2.15. I knew when the Messenger of Allah (ﷺ) walked among them that they would blessed

It was narrated from Jâbir ibn 'Abdullâh that: «His father died and left behind a debt of thirty *wasqs* that he owed to a Jewish man.

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[128] Bukhari, *Kitâb Faḍâ'il al-Qur'an*, hadith no 4754; Muslim, hadith no. 818.

[129] Muslim, *Kitâb az-Zakâh*, hadith no. 1045.

[130] Classed as *ḥasan* by Shaykh al-Albâni in *as-Silsilah aṣ-Ṣaḥeeḥah*, no. 352; see also *Ṣaḥeeḥ al-Jâmi'*, hadith no. 1234.

Jâbir asked him to let him defer payment of the debt, but he refused. Jâbir spoke to the Messenger of Allah (ﷺ), asking him to intercede with him for him. The Messenger of Allah (ﷺ) went and spoke to the Jew, asking him to take whatever was on the trees in lieu of what he owed, but he refused. The Messenger of Allah (ﷺ) went among the date palms and walked among them, then he said to Jâbir, "Collect them for him and pay off what is owed to him." He collected them after the Messenger of Allah (ﷺ) went back, and he paid off thirty *wasqs* to him, and had seventeen *wasqs* left over. Jâbir came to the Messenger of Allah (ﷺ) to tell him what had happened, and he found him praying *'Aṣr*. When he had finished he told him of the abundance. He said, "Tell the son of al-Khaṭṭâb about that." Jâbir went to 'Umar and told him, and 'Umar said to him, "I knew when the Messenger of Allah (ﷺ) walked among them that they would blessed."»[131]

2.2.16. The marriage of Ḥafṣah bint 'Umar (ﵺ) to the Messenger of Allah (ﷺ)

'Umar (ﷺ) said: «When the husband of Ḥafṣah bint 'Umar, Khunays ibn Ḥudhâfah as-Sahami, who was one of the Companions of the Messenger of Allah (ﷺ), died in Madeenah, I went to 'Uthmân ibn 'Affân (ﷺ) and offered Ḥafṣah bint 'Umar to him in marriage. I said, "If you wish, I will marry Ḥafṣah to you." He said, "I will think about it." A few days passed, then he met me and said, "I think that I do not want to get married." Then I met Abu Bakr aṣ-Ṣiddeeq (ﷺ) and said, "If you wish, I will marry Ḥafṣah bint 'Umar to you." But Abu Bakr remained silent and did not give me any answer, and I felt more upset with him than I had with 'Uthmân ibn 'Affân. A few days passed, then the Messenger of Allah (ﷺ) proposed marriage to her

[131] Bukhari, *Kitâb al-Istiqrâḍ*, hadith no. 2266.

and I married her to him. Abu Bakr met me and said, "Perhaps you felt upset with me when you offered Ḥafṣah to me in marriage and I did not answer you?" 'Umar said, "Yes." Abu Bakr said, "Nothing kept me from answering you except the fact that I knew that the Messenger of Allah (ﷺ) had mentioned her, and I did not want to disclose the secret of the Messenger of Allah (ﷺ). If the Messenger of Allah (ﷺ) had decided not to marry her, I would have married her."»[132]

2.3. 'Umar's attitude concerning the Prophet's disagreement with his wives

It was narrated that Ibn 'Abbâs said: «I was always keen to ask 'Umar about the two wives of the Prophet (ﷺ) of whom Allah said:

﴿If you two [wives of the Prophet: 'Â'ishah and Ḥafṣah] turn in repentance to Allah, [it will be better for you], your hearts are indeed so inclined [to oppose what the Prophet likes]...﴾ *(Qur'an 66: 4)*

— until 'Umar went for Ḥajj and I went with him. When we were part way there, 'Umar turned aside and I went with him, carrying the water. He relieved himself then he came to me and I poured water on his hands and he did *wuḍoo'*. I asked, "O' *Ameer al-Mu'mineen*, who are the two wives of the Prophet (ﷺ) of whom Allah says, ﴿If you two [wives of the Prophet] turn in repentance to Allah, [it will be better for you], your hearts are indeed so inclined [to oppose what the Prophet likes]﴾?" 'Umar said, "I wonder about you, O' Ibn 'Abbâs" — az-Zuhri said, He disliked the question. He said, "They are Ḥafṣah and 'Â'ishah." Then he carried on speaking and said, "We Quraysh

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[132] Bukhari, *Kitâb an-Nikâh*, hadith no. 5122; *'Umar ibn al-Khaṭṭâb*, by Muhammad Rasheed, p. 23.

had the upper hand over our women, but when we came to Madeenah we found a people whose women had the upper hand over them, and our women started learning from them. My house was among Banu Umayyah ibn Zayd in al-'Awâli. One day I got angry with my wife, and to my surprise she started answering me back. I objected to that and she said, "Don't you like me answering you back? The wives of the Prophet (ﷺ) answer him back and one of them may forsake him all day until night comes." So I went to Ḥafṣah and asked, "Do you answer back to the Messenger of Allah (ﷺ)?" She said, "Yes." I said, "Does one of you forsake him all day until night comes?" She said, "Yes." I said, "The one who does that is lost and doomed. Do you think that Allah will not be angry with her because of the anger of the Messenger of Allah (ﷺ)? Then she will indeed be doomed. Do not answer back to the Messenger of Allah or ask him for anything. Ask me for whatever you want. And do not be upset because your neighbour — meaning 'Â'ishah — is more beautiful and more beloved to the Messenger of Allah (ﷺ) than you are." I had a neighbour among the Anṣâr, and we used to take it in turns to go down to the Messenger of Allah (ﷺ). He would go down one day and bring me news of the Revelation and other things, and I would go down the next day and do likewise. We had been saying that Ghassân were shoeing their horses in order to attack us, and my neighbour went down one day, then he came to me in the evening and knocked on my door, then he called me and I went out to him. He said, "Something serious has happened!" I said, "What is it? Have Ghassân come?" He said, "No, it is worse than that: the Messenger has divorced his wives." I said, "Ḥafṣah is lost and doomed. I thought that this was going to happen." When I had prayed *Fajr* I got dressed and went to Ḥafṣah; I went inside her house and she was weeping. I asked, "Has the Messenger of Allah (ﷺ) divorced you?" She said, "I do not know. He has secluded himself in this small room." I went to a black slave of his and said, "Ask for permission for 'Umar to enter." The

slave went in, then he came out to me and said, "I mentioned you to him and he said nothing." Then I went to the *minbar*, and a group of people had gathered there, some of whom were weeping. I sat down for a while, but I felt too upset. I went back to the slave and said, "Ask for permission for 'Umar to enter." The slave went in, then he came out to me and said, "I mentioned you to him and he said nothing." I turned to leave, then the slave called me and said, "Go in, for he has given permission to you." So I went in and greeted the Messenger of Allah (ﷺ) with *salâm*, and he was reclining on a reed mat that had left marks on his side. I asked, "O' Messenger of Allah, have you divorced your wives?" He raised his head and looked at me, and said, "No." I said, "*Allâhu Akbar.* Do you remember, O' Messenger of Allah, we Quraysh used to have the upper hand over our women, but when we came to Madeenah, we found a people whose women had the upper hand over them, and our women started to learn from theirs. I got angry with my wife one day and to my surprise she started answering me back. I objected to that and she said, 'Don't you like me answering you back? The wives of the Prophet (ﷺ) answer him back and one of them may forsake him all day until night comes.' I said, 'The one among them who does that is lost and doomed. Does any one of them think that Allah will not be angry with her because of the anger of the Messenger of Allah (ﷺ)? Then she will indeed be doomed.'" The Messenger of Allah (ﷺ) smiled and I said, "O' Messenger of Allah, I went to Ḥafṣah and said, 'Do not be upset because your neighbour is more beautiful and more beloved to the Messenger of Allah (ﷺ) than you are.'" He smiled again and I said, "May I sit down, O' Messenger of Allah?" He said, "Yes." So I sat down, and I started looking around the room, and by Allah there was nothing to see except three untanned skins. I said, "O' Messenger of Allah, pray to Allah to bestow more bounty upon your ummah, for the Persians and the Byzantines have been given great bounty and they do not worship Allah." He sat up straight then

he said, "Are you doubting, O' son of al-Khaṭṭâb? They are people to whom good things are given in this world." I said, "Pray for forgiveness for me, O' Messenger of Allah." And he swore that he would not meet them for a month, because he was so upset with them, until Allah rebuked him.»[133]

These are the reports that I was able to collect about the life of 'Umar in the society of Madeenah. 'Umar was praised highly by the Messenger of Allah (ﷺ) which is indicative of his virtue, religious commitment and knowledge. We will discuss that more below.

2.4. Some of his virtues

'Umar ibn al-Khaṭṭâb was second to Abu Bakr in virtue, and he was the best of all people after the Prophets, Messengers and Abu Bakr. This is what the Muslim must believe about the virtue of 'Umar, and this is the belief of the saved group, *Ahl as-Sunnah wa al-Jamâ'ah.*[134] There are many well known *aḥâdeeth* and reports which speak of the virtues of 'Umar, including the following:

2.4.1. His faith, knowledge and religious commitment

Concerning the status of his faith, 'Abdullâh ibn Hishâm said: «We were with the Prophet (ﷺ) and he was holding the hand of 'Umar ibn al-Khaṭṭâb. 'Umar said to him, "O' Messenger of Allah, you are more beloved to me than anything except my own self." The Prophet (ﷺ) said, "No, by the One in Whose hand is my soul, not until I am more beloved to you than your own self." 'Umar said to

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[133] Its isnad is *ṣaḥeeḥ* according to the conditions of Bukhari and Muslim. *Musnad Aḥmad*, hadith no. 222, *al-Mawsoo'ah al-Ḥadeethiyah.*

[134] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah fee aṣ-Ṣaḥâba al-Kirâm* by Dr. Nâsir ibn 'Ali 'Â'iḍ Ḥasan ash-Shaykh, 1/243.

him, "No, by Allah, you are more beloved to me than my own self." The Prophet (ﷺ) said, "Now (you have got it right), O 'Umar."»[135]

With regard to his knowledge, the Messenger of Allah (ﷺ) said: «"Whilst I was sleeping (i.e., in a dream), I drank some milk until I could see its wetness emerging from my fingertips, then I passed it to 'Umar." They asked, "How did you interpret that, O' Messenger of Allah?" He said, "(It refers to) knowledge."»[136] This is a metaphor, for milk and knowledge share the characteristics of being very beneficial and bringing soundness, for milk brings physical nourishment and knowledge brings spiritual nourishment. This hadith highlights the virtues of 'Umar, for dreams are not usually to be interpreted literally, even though the dreams of the Prophets are part of the Revelation. But some of them need to be interpreted in a way other than their apparent meaning, whilst others may be interpreted literally. What is meant by knowledge in this hadith is understanding of how to rule people according to the Book of Allah and the Sunnah of the Messenger of Allah (ﷺ). This applies especially to 'Umar because of the length of his reign in comparison to Abu Bakr; the people were also united in obeying him, in contrast to 'Uthmân. The duration of Abu Bakr's caliphate was very short and not many conquests took place during that time, which were the main causes of division and differences. 'Umar's reign was very long and there were many conquests, but 'Umar ruled in a way that prevented division and differences, and nobody opposed him even though he ruled for a long time. The conquests went even further during the caliphate of 'Uthmân, but different ideas and views began to spread, and 'Uthmân did not enjoy the obedience that 'Umar had enjoyed, which led to tribulations that ultimately ended in his murder. He was succeeded by 'Ali, and the division and tribulation only got worse.

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[135] *Ṣaḥeeḥ al-Musnad fee Faḍâ'il aṣ-Ṣaḥâbah*, 66.

[136] *Fatḥ al-Bâri*, 7/46.

With regard to 'Umar's religious commitment, the Messenger of Allah (ﷺ) said: «"Whilst I was sleeping, the people were shown to me and they were wearing garments, For some of them the garment came down only as far as the chest, and some were shorter than that. And 'Umar was shown to me; he was wearing a garment that he was dragging (along the ground)." They asked, "How did you interpret that, O' Messenger of Allah?" He said, "(It refers to) religious commitment."»[137]

2.4.2. People were afraid of him and so was the *Shayṭân*

It was narrated that Sa'd ibn Abi Waqqâṣ (ﷺ) said: «'Umar ibn al-Khaṭṭâb sought permission to see the Messenger of Allah (ﷺ). There were some women of Quraysh with him who were talking to him and asking too many questions, raising their voices above his. When 'Umar ibn al-Khaṭṭâb asked for permission to enter, they ran and hid. The Messenger of Allah (ﷺ) gave him permission to enter, so 'Umar came in and found the Messenger of Allah (ﷺ) smiling. He said, "May Allah make you smile always, O' Messenger of Allah." The Prophet (ﷺ) said, "I am surprised about these women who were with me. When they heard your voice, they ran and hid." 'Umar said, "You have more right to be feared by them, O' Messenger of Allah." Then 'Umar said, "O' enemies of yourselves! Do you fear me and not the Messenger of Allah?" They said, "Yes, you are more harsh and more stern than the Messenger of Allah." The Messenger of Allah (ﷺ) said, "O' son of al-Khaṭṭâb, by the One in Whose hand is my soul, the *Shayṭân* never meets you on a path but he takes another path."»[138]

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[137] Muslim, hadith no. 2390.

[138] Bukhari, hadith no. 3682; Muslim, hadith no. 2386.

This hadith points to the virtue of 'Umar and demonstrates how, because of his constant adherence to the truth, the *Shayṭân* could not find a way to have any influence on him.[139]

Ibn Ḥajar said: "This virtue means that the *Shayṭân* had no influence over 'Umar, but that does not mean that he was infallible. Rather the hadith only says that the *Shayṭân* would not walk on the same path as 'Umar. This does not mean that he did not whisper to him as much as he could. If it is said that we may conclude from this hadith that the *Shayṭân* was not able to whisper to him, because if the *Shayṭân* was prevented from walking on a path where 'Umar was, it is more likely that he would not be able to get so close as to be able to whisper to him, and so 'Umar was protected from the *Shayṭân*, still that does not necessarily mean that he was infallible, because infallibility is certain in the case of a Prophet, and is merely a possibility in the case of anyone else."

In the hadith of Ḥafṣah that is narrated by aṭ-Ṭabarâni in *al-Awsaṭ* it says: «"The *Shayṭân* has never met 'Umar from the time he became Muslim, but he flees immediately."» This is indicative of his steadfastness in religious commitment, and his serious and firm adherence to the truth.

An-Nawawi said: "This hadith is to be understood according to its apparent meaning, that the *Shayṭân* fled whenever he saw him." 'Iyâḍ said: "It is to be understood by way of analogy, meaning that 'Umar had left the path of *Shayṭân* and followed the right path, so he went against everything that the *Shayṭân* loves." Ibn Ḥajar said: "The first interpretation is more correct."[140]

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[139] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah,* 1/348.

[140] *Fatḥ al-Bâri,* 7/47-48; *Sharḥ an-Nawawi,* 15/165-167.

2.4.3. The inspired one of this ummah

The Messenger of Allah (ﷺ) said: «"Among the nations who came before you were some who were inspired. If anyone among my ummah were to be inspired it would be 'Umar."»[141] This hadith speaks of an important characteristic of 'Umar. The scholars differed as to what was meant by the word *muḥaddath* (translated here as "inspired"). It was said that it meant one who is inspired, or one who speaks the truth spontaneously, or one to whom the angels speak without him being a Prophet, i.e., they speak to him in his heart even though he does not see an angel in reality, which boils down to meaning inspired. And some suggested that it referred to intuition.[142]

Ibn Ḥajar said: "The fact that on many occasions during the lifetime of the Prophet (ﷺ) 'Umar's suggestions were corroborated by Qur'an, and after the death of the Prophet (ﷺ) he often got things right by intuition, and that he was the only one who was honoured with this quality and that other *Ṣaḥâbah* were not, does not mean that he is better than Abu Bakr (ﷺ)."[143]

Ibn al-Qayyim said: "Do not think that the fact that this quality was unique to 'Umar means that he was better than Abu Bakr aṣ-Ṣiddeeq. Rather the fact that Abu Bakr did not have this quality was better than having it, for he had learned so much from the Prophet (ﷺ) that he had no need of any inspiration or intuition. What Abu Bakr had learned directly from the Prophet (ﷺ) was better than that which 'Umar learned by means of inspiration."[144]

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[141] Bukhari, hadith no, 3689; Muslim, hadith no. 2398.

[142] *Fatḥ al-Bâri*, 7/50; *Sharḥ an-Nawawi*, 15/166.

[143] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah*, 1/251.

[144] *Miftâḥ Dâr as-Sa'âdah*, 1/255.

2.4.4. "I had never seen anyone so strong doing this task"

The Messenger of Allah (ﷺ) said: «"Whilst I was sleeping, I saw myself drawing water from a well with a bucket. Abu Bakr came and drew a bucket or two weakly. May Allah forgive him.[145] Then 'Umar ibn al-Khaṭṭâb came and the bucket turned into a very large one in his hands. I had never seen any one so strong doing this task, all the people drank their fill and watered their camels that knelt down there."»[146]

This hadith speaks of an obvious virtue of 'Umar, as is reflected in the words of the Prophet (ﷺ): "Then 'Umar ibn al-Khaṭṭâb came and the bucket turned into a very large one in his hands..." The word translated here as "strong" refers to a leader, or it was said that it refers to something above which there is nothing else. "Watered their camels" means that the people gave their camels water to drink, then they returned to the pens into which they used to go after drinking in order to rest. This dream that the Prophet (ﷺ) saw is an obvious analogy to what happened to Abu Bakr and 'Umar during their caliphates, how they strove well, directed the course of events and benefited the people. During the caliphate of Abu Bakr there was fighting with the apostates (*ahl ar-riddah*); he put a stop to them and spread Islam despite the short duration of his caliphate, which lasted only two years and a few months. But Allah blessed it greatly and created a great deal of benefit in it. When Abu Bakr died, he was succeeded by 'Umar, during whose time Islam spread even further...

... and the rules of shari'ah were implemented and developed to address new situations. The people benefited a great deal during the

[145] "May Allah forgive him"; this is not intended to belittle Abu Bakr; rather it is a phrase which the Muslims used to use frequently in their speech.

[146] Muslim, hadith no. 2393.

caliphate of 'Umar because it was so lengthy. 'Umar established new cities and organized the affairs of state, and there were many conquests and a great deal of booty.

What is meant by the phrase "I had never seen any one so strong doing this task" is: I had never seen any leader striving so hard and achieving so much. With regard to the meaning of the words, "all the people drank their fill", al-Qâḍi 'Ayyâḍ said: "This seems to refer to the caliphate of 'Umar in particular, although it was said that it refers to the caliphates of both Abu Bakr and 'Umar, because of their thinking and management, and their efforts to serve the interests of the Muslims. This was achieved and 'all the people drank their fill' because Abu Bakr defeated the apostates and united the Muslims, and he initiated the conquests and paved the way, and his efforts bore fruit during the time of 'Umar ibn al-Khaṭṭâb."[147]

2.4.5. The protective jealousy of 'Umar and the glad tidings that the Messenger of Allah (ﷺ) gave him of a palace in Paradise

The Messenger of Allah (ﷺ) said: «"I saw myself (in a dream) entering Paradise, and there I saw ar-Rumayṣa' — the wife of Abu Ṭulayḥah — and I heard the sound of footsteps. I said, 'Who is this?' He said, 'It is Bilâl.' And I saw a palace, in the courtyard of which there was a young woman. I said, 'Whose (palace) is this?' They said, '(It is) 'Umar's.' I wanted to go in and look around, but then I remembered your protective jealousy.' " 'Umar said, "May my father and mother be sacrificed for you, O' Messenger of Allah! Would I feel jealous towards you?"»[148]

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[147] *Sharḥ an-Nawawi*, 15/161-162.

[148] Muslim, hadith no. 2394; *Ṣaḥeeḥ at-Tawtheeq*, p. 54; Bukhari, hadith nos. 3476, 6620.

According to another report, the Messenger of Allah (ﷺ) said: «"Whilst I was sleeping, I saw myself in Paradise, and there was a woman doing *wuḍoo'* beside a palace. I said, 'Whose is this palace?' They said, '(It is) 'Umar's.' Then I remembered your protective jealousy so I turned away." 'Umar wept and said, "Would I feel protective jealousy towards you, O' Messenger of Allah?"»[149]

These two hadith clearly point to the virtue of 'Umar ibn al-Khaṭṭâb (ﷺ), as the Prophet (ﷺ) spoke of having seen a palace for him in Paradise. This is indicative of his high status before Allah.[150]

2.4.6. The most beloved of the Companions of the Messenger of Allah (ﷺ) to him after Abu Bakr

'Amr ibn al-'Âṣ (ﷺ) said that he asked: «"O' Messenger of Allah, which of the people is most beloved to you?" He (the Prophet) said, " 'Â'ishah." I asked, "O' Messenger of Allah, who among men?" He said, "Her father." I then asked, "Then who?" He said, "Then 'Umar ibn al-Khaṭṭâb." Then he named some other men.»[151]

2.4.7. Glad tidings of Paradise for 'Umar

It was narrated that Abu Moosa al-Ash'ari said: «I was with the Prophet (ﷺ) in one of the gardens of Madeenah, when a man came and asked for the gate to be opened. The Prophet (ﷺ) said: "Open the gate for him, and give him the glad tidings of Paradise." I opened the gate for him, and it was Abu Bakr. I gave him the glad tidings of what the Messenger of Allah (ﷺ) had said, and he praised

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[149] Muslim, hadith no. 2395.

[150] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah wa aṣ-Ṣaḥâbah*, 1/245.

[151] *Al-Iḥsân fee Ṣaḥeeḥ Ibn Ḥibbân*, 15/209. The hadith also appears in Muslim, hadith no. 2384, and in Bukhari, *Bâb Ghazw Dhât as-Salâsil*, hadith no. 4100.

Allah. Then another man came and asked for the gate to be opened. The Prophet (ﷺ) said, "Open the gate for him, and give him the glad tidings of Paradise." I opened the gate for him, and it was 'Umar. I told him what the Prophet (ﷺ) had said and he praised Allah. Then another man asked for the gate to be opened. The Prophet (ﷺ) said, "Open the gate for him, and give him the glad tidings of Paradise for a calamity that will befall him." And it was 'Uthmân. I told him what the Messenger of Allah (ﷺ) had said and he praised Allah, then he said, "Allah is the One Whose help I seek."»[152]

2.5. 'Umar's attitude during the sickness of the Messenger of Allah (ﷺ) and upon his death

2.5.1. During the sickness of the Messenger of Allah (ﷺ)

'Abdullâh ibn Zam'ah said: «When the Messenger of Allah (ﷺ) fell sick, Bilâl entered upon him to call him to come and pray. He (ﷺ) said: "Tell someone to lead the people in prayer." So I went out and saw 'Umar among the people, and Abu Bakr was not there, so I said, "Get up, O' 'Umar, and lead the people in prayer." So he got up, and when he said the *takbeer*, the Messenger of Allah (ﷺ) heard his voice, for 'Umar was a man who had a loud voice. The Messenger of Allah (ﷺ) said, "Where is Abu Bakr? For Allah would not accept that and neither would the Muslims, Allah would not accept that and neither would the Muslims." He sent for Abu Bakr, who came after 'Umar had finished that prayer, and he led the people in prayer. 'Abdullâh ibn Zam'ah said that 'Umar said to him, "Woe to you! What have you done to me, O' Ibn Zam'ah? By Allah, when you told

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[152] Bukhari, *Kitâb aṣ-Ṣaḥâbah*, hadith no. 3290.

me (to lead the prayer), I thought that the Messenger of Allah (ﷺ) had enjoined that, otherwise I would not have led the people in prayer." I said, "By Allah, the Messenger of Allah (ﷺ) did not enjoin that, but when I did not see Abu Bakr, I thought that you were the most deserving of those present to lead the people in prayer."»[153]

Ibn 'Abbâs narrated that: «When the pain grew intense, the Prophet (ﷺ) said, "Bring me a sheet so that I may write something for you after which you will not go astray." 'Umar (رضي الله عنه) said, "The Prophet (ﷺ) is in severe pain, and the Book of Allah is sufficient for us." They started arguing and raising their voices. He said, "Go away from me; it is not right that you should argue in front of me." Ibn 'Abbâs went out saying, "It was most unfortunate that the Messenger of Allah (ﷺ) was prevented from writing his statement."»[154]

The scholars discussed this hadith and explained it in such a way that puts one's mind at ease. An-Nawawi discussed it at length and in detail in his commentary on Muslim, where he said:

"It should be noted that the Prophet (ﷺ) was infallible and could not lie or change any of the rulings of shari'ah, whether he was healthy or sick. He was also protected against failing to explain anything that needed explanation or conveying anything that Allah had commanded him to convey. But he was not infallible against the diseases and sicknesses to which the body is susceptible and other such things that do not undermine his status and could not affect any of the issues of shari'ah that were already established. He (ﷺ) was bewitched and he imagined that he had done things that he had not done, but when he was in that state, he did not suggest anything that contradicted the rulings that he had previously established. Once you understand the point we are making, the scholars differed concerning

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[153] Its isnad is *ṣaḥeeḥ*; narrated by Abu Dawood, hadith no. 4660.
[154] Bukhari, *Kitâb al-'Ilm*, hadith no. 114.

the statement that the Prophet (ﷺ) wanted to write. It was said that he wanted to state that the caliphate should go to a specific person lest there be disputes and tribulations concerning it; or that he wanted to write something in which he would sum up the most important rulings, so as to dispel the risk of dispute concerning them and so that there would be agreement upon what was stated. The Prophet (ﷺ) thought of writing this statement because it seemed to him that it would serve a purpose, or he had received revelation telling him to do that. Then it appeared that it was better not to do that, or he received revelation to that effect, so the first command was abrogated.

With regard to the words of 'Umar, the scholars who commented on this hadith are unanimously agreed that this is indicative of 'Umar's knowledge of religion, virtues and subtle insight, because he feared that the Prophet (ﷺ) might write things that may be beyond them, for which they would incur punishment, because these matters would be clearly stated and there would be no room for ijtihad concerning them. This is why 'Umar said, 'The Book of Allah is sufficient for us,' because Allah (ﷻ) says:

﴾... We have neglected nothing in the Book...﴿ *(Qur'an 6: 38)*
And:
﴾... This day, I have perfected your religion for you...﴿ *(Qur'an 5: 3)*

He knew that Allah had perfected His religion and that the ummah was safe from misguidance, so he wanted to spare the Messenger of Allah (ﷺ) any further effort. 'Umar had better insight than Ibn 'Abbâs and those who shared his view. Al-Khaṭṭâbi said: It is not permissible to interpret what 'Umar said as meaning that he thought that the Messenger of Allah (ﷺ) might make a mistake, or some other inappropriate notion. Rather when he saw that the Messenger of Allah (ﷺ) was in great pain and that death was approaching, he feared that this was akin to the talk of a sick person who does not speak in a definitive manner, and that the hypocrites would take this

as a means to criticize Islam. His companions used to discuss some matters with him before he confirmed them in definitive terms, as happened on the day of al-Ḥudaybiyah concerning the treaty between him and Quraysh. But when the Prophet (ﷺ) issued a command he did so in definitive terms, and none of them would discuss it with him."[155]

'Umar's words, "The Book of Allah is sufficient for us" were a response to those who were arguing with him, not to the command of the Prophet (ﷺ).[156] Shaykh 'Ali aṭ-Ṭanṭâwi commented on this by saying: "What I think is that during his lengthy companionship with the Prophet (ﷺ), 'Umar had grown accustomed to expressing his opinion because he knew that he had permission to do so; there are many reports which tell how he suggested things to the Messenger of Allah (ﷺ), requested things from him and asked him about things. The Messenger of Allah (ﷺ) would confirm his view if he was right and correct him if he was wrong. When the Messenger (ﷺ) said, 'Bring me a sheet so that I may write something for you', 'Umar — as was his usual habit — offered his suggestion, saying that the Book of Allah was sufficient, and the Prophet (ﷺ) agreed with him. If he had wanted to go ahead and write the statement, he would have told 'Umar to be quiet and he would have done what he wanted."[157]

2.5.2. 'Umar's attitude on the day of the Prophet's death

When news of the Prophet's death reached the people, there was a great deal of distress. The death of the Messenger of Allah (ﷺ)

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[155] *Ṣaḥeeḥ as-Seerah an-Nabawiyah*, p. 750, quoting from *Sharḥ Muslim*, 11/90.
[156] *Sharḥ an-Nawawi*, 11/90; *Faṣl al-Khiṭâb fee Mawâqif al-Aṣḥâb* by al-Gharsi, p. 41.
[157] *Akhbâr 'Umar*, p. 36.

came as a great shock to many of the Muslims, especially 'Umar ibn al-Khaṭṭâb. The great *Ṣaḥâbi* Abu Hurayrah (ﷺ) tells us what happened:

«When the Messenger of Allah (ﷺ) died, 'Umar ibn al-Khaṭṭâb stood up and said, "Some of the hypocrites are claiming that the Messenger of Allah has died, but the Messenger of Allah (ﷺ) has not died, rather he has gone to his Lord as Moosa ibn 'Imrân did; he went away from his people for forty days, then he came back to them after it was said that he had died. By Allah, the Messenger of Allah will come back to us as Moosa came back. Let the hands and feet of those who say that the Messenger of Allah (ﷺ) has died be cut off."[158]

When he heard the news, Abu Bakr came and dismounted at the door of the mosque whilst 'Umar was still speaking to the people, and he did not pay attention to anything until he went to the Messenger of Allah (ﷺ) in the house of 'Â'ishah, and the Messenger of Allah (ﷺ) was lying, fully covered with a striped cloak, in a corner of the room. He went and uncovered the face of the Messenger of Allah (ﷺ) and kissed him, then he said, "May my father and mother be sacrificed for you. As for the death that Allah has decreed for you, you have tasted it, and no death will ever befall you again after this." Then he put the cloak back over the face of the Messenger of Allah (ﷺ), and went out. 'Umar was still speaking to the people and he said, "Calm down and listen, O' 'Umar!" But 'Umar insisted on speaking, and when Abu Bakr saw that he would not listen, he turned to the people and when the people heard him speaking, they turned to him and left 'Umar. (Abu Bakr) praised and glorified Allah, then he said:

"O' people, whoever used to worship Muhammad, Muhammad has died, but whoever used to worship Allah, Allah is Living and will never die." Then he recited the following verse:

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[158] *As-Seerah an-Nabawiyah* by Ibn Abi Shaybah, 2/594.

﴾Muhammad is no more than a Messenger, and indeed [many] Messengers have passed away before him. If he dies or is killed, will you then turn back on your heels [as disbelievers]? And he who turns back on his heels, not the least harm will he do to Allah; and Allah will give reward to those who are grateful.﴿ *(Qur'an 3: 144)*

Abu Hurayrah said, "By Allah, it was as if the people did not know that this verse had been revealed until Abu Bakr recited it to them that day. The people learned it from Abu Bakr and now it is on their lips." Abu Hurayrah said, " 'Umar said, 'By Allah, when Abu Bakr recited it I began to feel dizzy and my legs would not carry me, and I fell to the ground. And I knew that the Messenger of Allah (ﷺ) had died.' "»[159]

3. 'Umar During the Caliphate of Abu Bakr

3.1. His stance in Saqeefah Bani Sâ'idah and his oath of allegiance to Abu Bakr

Following the death of the Prophet (ﷺ), the Anṣâr gathered around Sa'd ibn 'Ubâdah in Saqeefah Bani Sâ'idah and said: «"A leader from among us and a leader from among you." Abu Bakr, 'Umar ibn al-Khaṭṭâb and Abu 'Ubaydah ibn al-Jarrâh went to them, and 'Umar started to speak, but Abu Bakr told him to be quiet. 'Umar used to say: "By Allah, all I wanted to do was to say some words that I had prepared in my mind that I thought were good, for I was afraid that Abu Bakr might not be able to convey the message effectively." Then Abu Bakr began to speak, and he spoke very eloquently. He said: "We will be the leaders and you will be the advisors." Ḥabbâb

[159] Bukhari, *Kitâb al-Janâ'iz*, hadith no. 1242.

ibn al-Mundhir said: "No, by Allah, we will not do it. A leader from among us and a leader from among you." Abu Bakr said: "No, rather we will be the leaders and you will be the advisors. They are the most prominent among the Arabs and the best in lineage. Give your allegiance to 'Umar or to Abu 'Ubaydah." 'Umar said: "Rather we will give our allegiance to you, for you are our leader and the best of us, and the most beloved to the Messenger of Allah (ﷺ)." Then 'Umar took him by the hand and swore his allegiance to him, and the people did likewise.»[160]

May Allah be pleased with 'Umar and make him pleased. When the people's voices grew loud in as-Saqeefah and there was much disagreement, and 'Umar feared division — and the danger that he most feared was that someone would start to swear allegiance to one of the Anṣâr, which would cause great tribulation, and it would not be easy to resolve the matter once people had started to swear allegiance to someone else — then he hastened to pre-empt any tribulation.[161] And he said to the Anṣâr:

«"O' Anṣâr, do you not know that the Messenger of Allah (ﷺ) commanded Abu Bakr to lead the people in prayer? Who among you would feel comfortable putting himself above Abu Bakr?" The Anṣâr said, "Allah forbid that we should put ourselves above Abu Bakr."[162] Then 'Umar hastened to say to Abu Bakr, "Stretch forth your hand." So he stretched forth his hand and 'Umar swore allegiance to him, and the *Muhâjireen* swore allegiance to him, then the Anṣâr did so.»[163]

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[160] *Musnad Aḥmad*, 1/213; Aḥmad Shâkir classed its isnad as *ṣaḥeeḥ*.

[161] *Al-Ḥikmah fee ad-Da'wah ila Allâh*, by Sa'eed al-Qaḥṭâni, p. 226.

[162] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 1/ 280.

[163] Bukhari, *Kitâb Faḍâ'il aṣ-Ṣaḥâbah*, hadith no. 3668.

On the Tuesday, Abu Bakr sat on the *minbar*, and 'Umar stood up and spoke before Abu Bakr. He praised and glorified Allah as He deserves, then he said: "O' people, yesterday I said things to you that were not appropriate; I did not find that in the Book of Allah and that was not something that the Messenger of Allah (ﷺ) told me. But I thought that the Messenger of Allah (ﷺ) would continue to lead us until he would be the last one of us to die. But Allah has left amongst you His Book in which is the guidance of Allah and His Messenger (ﷺ). If you adhere to it, Allah will guide you to that to which He guided him. Allah has united you under the leadership of the best among you, the Companion of the Messenger of Allah (ﷺ), the second of two when they were in the cave, so get up and swear your allegiance to him." So the people swore their allegiance to Abu Bakr in a public oath of allegiance that took place after the oath of allegiance at as-Saqeefah.[164] 'Umar encouraged the people and urged them to swear allegiance to Abu Bakr until Allah united all the Muslims under his leadership. Thus Allah saved them from division and tribulation. This is the stance that 'Umar took with the people in order to unite them under the leadership of Abu Bakr. This is one of the wisest stances which deserves to be recorded in letters of gold.[165]

'Umar feared that the Muslims would become divided and that the flames of internal division would erupt, so he took pre-emptive action by hastening to swear allegiance to Abu Bakr and he encouraged the people to do likewise in a public oath of allegiance. This action of his saved the Muslims from the greatest tribulation that would have befallen them were it not for his brilliant intuition, which came second only to the help of Allah.[166]

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[164] *Al-Bidâyah wa an-Nihâyah*, 6/305, 306. its isnad is *ṣaḥeeḥ*.

[165] *Al-Ḥikmah fee ad-Da'wah ila Allâh*, p. 227.

[166] *Al-Khulafa' ar-Râshidoon* by 'Abdul-Wahhâb an-Najjâr, p. 123.

3.2. His discussion with Abu Bakr with regard to fighting those who withheld zakah and sending the army of Usâmah

Abu Hurayrah (رضي الله عنه) said: «When the Messenger of Allah (ﷺ) died and Abu Bakr succeeded him and some of the Arabs reverted to *kufr*, 'Umar said, "O' Abu Bakr, how can you fight the people when the Messenger of Allah (ﷺ) said, 'I have been ordered to fight the people until they say *Lâ ilâha illa-Allâh*, and whoever says *Lâ ilâha illa-Allâh*, his wealth and life are safe from me, except in cases decreed by shari'ah, and his reckoning will be with Allah'?" Abu Bakr said, "By Allah, I will fight whoever separates prayer and zakah, for zakah is what is due on wealth. By Allah, if they withhold from me a young female goat that they used to give to the Messenger of Allah (ﷺ), I will fight them for withholding it." 'Umar said, "By Allah, when I saw that Allah had opened Abu Bakr's heart to (the idea of) fighting, I knew that it was right."»[167]

When some of the *Ṣaḥâbah* suggested to Abu Bakr that the army of Usâmah should stay put until things had calmed down, Usâmah sent a message with 'Umar ibn al-Khaṭṭâb from his camp at al-Jaraf to Abu Bakr, asking him for permission to bring the people back. He said: "There are some of the most prominent and most respected Muslims with me, and I fear for the successor of the Messenger of Allah (i.e., the caliph) and the wives of the Messenger of Allah and the Muslims, that they may be harmed by the *mushrikeen*."[168] But Abu Bakr disagreed with that and insisted that he should go ahead with his military campaign and set out towards Syria, no matter what the circumstances or the outcome. The Anṣâr

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[167] Bukhari, *Kitâb Istitâbah al-Murtaddeena wa al-Mu'ânideen,* hadith no. 6566.
[168] *Al-Kâmil* by Ibn al-Atheer, 2/226.

requested that a man older than Usâmah should be put in command of the army, and they sent 'Umar ibn al-Khaṭṭâb to talk to Abu Bakr about that. 'Umar said: "The Anṣâr are requesting that a man older than Usâmah should be put in command of the army." Abu Bakr had been sitting down but he leapt up and grabbed 'Umar by the beard and said: "May your mother be bereft of you, O' son of al-Khaṭṭâb! The Messenger of Allah (ﷺ) appointed him and you are telling me to dismiss him?"[169] 'Umar went out to the people and they said: "What did you do?" He said: "Go away, may your mothers be bereft of you! It is because of you that the successor of the Messenger of Allah (ﷺ) was harsh with me."[170]

3.3. 'Umar and the return of Mu'âdh from Yemen, his true insight concerning Abu Muslim al-Khawlâni, and his opinion regarding the appointment of Abân ibn Sa'eed as governor of Bahrain

3.3.1. 'Umar and the return of Mu'âdh from Yemen

Mu'âdh ibn Jabal stayed in Yemen during the lifetime of the Messenger of Allah (ﷺ), where he strove hard in calling people to Islam and in fighting the apostates. After the Messenger of Allah (ﷺ) died, he came to Madeenah. 'Umar said to Abu Bakr, "Send for this man and leave him with enough for him to live on but take everything else from him." Abu Bakr said: "No, the Prophet (ﷺ) sent him to help him; I will not take anything from him except what he gives to me." 'Umar thought that Abu Bakr (رضي الله عنه) was not taking any notice of his opinion, but 'Umar was convinced that he was right. He went to

[169] *Târeekh aṭ-Ṭabari*, 4/46.
[170] Ibid.

Mu'âdh, hoping that he might agree. Mu'âdh said: "The Messenger of Allah (ﷺ) only sent me to help me; I will not do it." 'Umar did not go to Abu Bakr to seek his help against Mu'âdh, but he wanted what was best for Mu'âdh and for the Muslims, but here was Mu'âdh rejecting 'Umar's advice. 'Umar knew that he had no power over Mu'âdh, so he went away, accepting that fact, because he had done his duty of offering advice. But after rejecting 'Umar's advice, Mu'âdh saw something that made him go to 'Umar and say: "I will obey you, I will do what you told me to do, for I saw in a dream that I was in deep water and I feared that I might drown, but you saved me from it, O' 'Umar." Then Mu'âdh went to Abu Bakr (رضي الله عنه) and told him the whole story, and swore that he was not hiding anything from him. Abu Bakr (رضي الله عنه) said: "We will not take anything that has been given to you as a gift." [171] According to another report, Abu Bakr said to Mu'âdh: "Give us your accounts." Mu'âdh said: "Am I to give account twice, once to Allah and once to you? By Allah, I will never do any task for you."[172]

3.3.2. His true intuition concerning Abu Muslim al-Khawlâni

'Umar was blessed with a kind of intuition which is rarely seen in this life. Adh-Dhahabi narrated that al-Aswad al-'Ansi was claiming to be a Prophet in Yemen. He sent for Abu Muslim al-Khawlâni and prepared a great fire, then he threw Abu Muslim into it, but it did not harm him... It was said to al-Aswad, "If you do not get rid of him, he will confuse your followers." So he told him to leave, and he came to Madeenah. He made his mount kneel down, then he entered the mosque, where 'Umar saw him and got up to meet him.

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[171] *Shaheed al-Miḥrâb*, p. 69, quoting from *al-Isti'âb*, 3/338.
[172] *'Ayoon al-Akhbâr*, 1/125.

He asked, "Where is this man from?" He said, "From Yemen." He asked, "What happened to the one whom the liar burned with fire?" He said, "That was 'Abdullâh ibn Thuwab." He then asked, "I adjure you by Allah, are you he?" He said, "Yes, by Allah." 'Umar embraced him and wept, then he took him and seated him between himself and Abu Bakr and said, "Praise be to Allah Who did not cause me to die until I had seen among the ummah of Muhammad (ﷺ) one to whom was done the same as was done to Ibraheem al-Khaleel."[173]

3.3.3. His opinion regarding the appointment of Abân ibn Sa'eed as governor of Bahrain

Abu Bakr (ﷺ) used to consult the *Ṣaḥâbah* before appointing governors. It was narrated that he consulted his companions concerning the one whom he wanted to send to Bahrain. 'Uthmân said to him: "Send a man whom the Messenger of Allah (ﷺ) sent before, who had brought his people to the Prophet (ﷺ) to declare their Islam and obedience, whom they know and he knows them." And he also said: "Force Abân ibn Sa'eed ibn al-'Âṣ (to be governor), for he is a man who had an alliance with them," But Abu Bakr refused to force him, and said: "I will not force any man who says that he will not work for anyone after the Messenger of Allah (ﷺ)." Then Abu Bakr decided to send al-'Ala' ibn al-Ḥaḍrami to Bahrain.[174]

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[173] *Siyar A'lâm an-Nubala'*, 4/9-4; *Aṣḥâb ar-Rasool*, 1/137.

[174] *Al-Quyood al-Wâridah 'ala Sulṭat ad-Dawlah* by 'Abdullâh al-Kaylâni, p. 169.

3.4. 'Umar's view that *diyah* should not be accepted for the slain Muslims, and his objection to Abu Bakr giving land to al-Aqra' ibn Ḥâbis and 'Uyaynah ibn Ḥaṣan

3.4.1. 'Umar's view that *diyah* should not be accepted for the Muslims slain during the Riddah wars

The delegation of Buzâkhah came from Asad and Ghaṭafan to Abu Bakr to ask him for a peace treaty, and he gave them the choice between a destructive war and a humiliating peace. They said: "We know what destruction means, but what is this humiliation?" He said: "We will take away from you your weapons and horses, we will keep as war booty whatever we captured from you, and you will return whatever you captured from us. You will pay *diyah* for our slain, but your slain are in Hell. You will be left like people who follow the tails of camels until Allah shows the successor of His Messenger (ﷺ) and the *Muhâjireen* a way to forgive you." Abu Bakr told the *Ṣaḥâbah* what he had said, and 'Umar ibn al-Khaṭṭâb stood up and said: "I will give you my opinion. As for what you said about a destructive war or a humiliating peace, that is a good idea. As for what you said about us keeping as war booty what we captured from them and them returning what they captured from us, that is a good idea. As for what you said about them paying the *diyah* for our slain and their slain being in Hell, our slain fought and were killed for the sake of Allah, and their reward is with Allah, so there should be no *diyah* for them." So he concluded the treaty with them on the basis of what 'Umar said.[175]

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[175] *Akhbâr 'Umar*, p. 362, quoting from *ar-Riyâḍ an-Naḍrah*, *Nayl al-Awṭâr*, 8/22.

3.4.2. His objection to Abu Bakr giving land to al-Aqra' ibn Ḥâbis and 'Uyaynah ibn Ḥaṣan

'Uyaynah ibn Ḥaṣan and al-Aqra' ibn Ḥâbis came to Abu Bakr (ﷺ) and said: "O' Successor of the Messenger of Allah (ﷺ), there is some swampy land where no grass grows and it is of no use. Why don't you give it to us to cultivate it, so that perhaps there will be some benefit in it after today?" Abu Bakr said to those who were around him, "What do you think of what they said, if it is swampy land that is of no use?" They said, "We think that you should give it to them, so that perhaps there will be some benefit in it after today." So he gave it to them and wrote a document for them stating that it was theirs. He wanted 'Umar to witness it, but he was not among the people, so they went to 'Umar and asked him to bear witness. They found him applying pitch to a camel of his and said, "Abu Bakr has asked you to bear witness to what is in this document. Shall we read it to you or will you read it?" He said, "I am as you see I am, if you wish you can read it and if you wish you can wait until I am finished and I will read it myself." They said, "No, we will read it." So they read it and when he heard what was in the document, he took it from their hands, then he spat on it and wiped it (i.e., obliterated what was written). They complained about that and said something bad. He said, "The Messenger of Allah (ﷺ) used to be kind to you, and Islam was in a weak position at that time. Now Allah has made Islam strong, so go and work hard. May you never succeed if you graze your flocks in that land!" They went to Abu Bakr and started to complain, saying, "By Allah, we do not know if you are the caliph or 'Umar." He said, "No, he could have been the caliph if he had wanted to be." Then 'Umar came, and he was angry. He stood over Abu Bakr and said, "Tell me about this land that you gave to these two. Is it your own land or does it belong to all the Muslims?" He said, "No, it belongs to all the Muslims." He said, "Then what made

you give it to these two only and not to all the Muslims?" He said, "I consulted these people who were around me and that is what they advised me to do." He said, "If you consulted those who were around you, did you consult all the other Muslims, and were they pleased with it?" Abu Bakr (ﷺ) said, "I told you that you were more qualified for this role than I, but you insisted."[176]

This incident leaves no room for doubt that the rule of the Islamic state at the time of the Rightly Guided Caliphs was based on *shoora* or consultation. It shows us that the successor to the Messenger of Allah (ﷺ) was keen to consult the Muslims concerning both minor and major matters, and that he would not take any decision without consulting his brothers.[177]

The report quoted above shows us that *shoora* was practised in all decisions concerning the Muslims' affairs and, moreover, that Abu Bakr would be willing to surrender his opinion, even though he was who he was. This is a picture of *shoora* as it should be, within the framework of the commands of Allah and the rulings on what is *ḥalâl* and what is *ḥarâm*. It is not the pseudo-*shoora* that is enacted in parliaments from which the people have gained nothing but the bitterness of oppression, injustice and loss.[178]

3.5. The compilation of the Holy Qur'an

Among the Muslims who were martyred during the war of al-Yamâmah were many who had memorized the Qur'an, as a result of which Abu Bakr (ﷺ) consulted 'Umar ibn al-Khaṭṭâb (ﷺ) about

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[176] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 1/262.

[177] *Istikhlâf Abi Bakr aṣ-Ṣiddeeq* by Jamâl 'Abdul-Hâdi, Pp. 166, 167.

[178] Ibid, p. 167.

compiling the Qur'an by collecting the pieces of cloth, bones and palm leaves on which it had been written and gathering it "from the hearts of men".[179] Abu Bakr delegated this extremely important task to the *Ṣaḥâbi* Zayd ibn Thâbit al-Anṣâri. Zayd ibn Thâbit (ﷺ) said: «"Abu Bakr sent for me after many people were killed at al-Yamâmah.[180] There I saw 'Umar ibn al-Khaṭṭâb with him. Abu Bakr said that 'Umar came to him and said, 'The killing on the day of al-Yamâmah has taken its toll of those who had knowledge of the Holy Qur'an, and I fear that more will be killed in other battles, and much of the Qur'an may disappear. So I think that you should issue orders that the Qur'an be compiled.' I said to 'Umar, 'How can I do something that the Messenger of Allah (ﷺ) did not do?' 'Umar said, 'By Allah, this is something good. 'Umar kept on talking to me about it until Allah opened my heart to that to which He had opened 'Umar's heart, and I realized the same as 'Umar had realized concerning the matter.' " Zayd said that Abu Bakr said: "You are a young and intelligent man and we think highly of you; you used to write down the Revelation for the Messenger of Allah (ﷺ). So seek out the Qur'an and collect it." Zayd said: "By Allah, if he had ordered me to move a mountain it would not have been harder for me than what he ordered me to do of collecting the Qur'an."»[181]

We may derive a number of conclusions from the story of the collection of the Holy Qur'an, including the following:

1. That the collection of the Holy Qur'an came about as the result of the fear that it might be lost because of the deaths, during the Riddah wars, of many of those who knew it well. This indicates that the scholars and those who had knowledge of the Qur'an at that time

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[179] *Ḥuroob ar-Riddah wa Bina' ad-Dawlah al-Islâmiyah*, Aḥmad Sa'eed, p. 145.

[180] i.e., the battle of al-Yamâmah against the liar Musaylimah and his brethren.

[181] Bukhari, hadith no. 4986.

were the quickest of people to act and engage in jihad to support Islam and the Muslims with their ideas, behaviour and swords. They were the best nation ever raised for mankind and all those who come after them should follow their example.

2. The collection of the Qur'an was based on the general interests of the Muslims. Nothing is more indicative of that than 'Umar's reply when Abu Bakr asked him, "How can you do something that the Messenger of Allah (ﷺ) did not do?" and he said, "By Allah, it is something good." According to some versions, he said to him: "By Allah it is good and in the interests of the Muslims." This is the same thing that Abu Bakr said to Zayd when he asked the same question. Whether the report which mention the interests of the Muslims is *ṣaḥeeḥ* or not, the usage of the word *khayr* ("good") conveys the same meaning, which is that it was in the interests of the Muslims to gather the Qur'an. The collecting of the Qur'an was initially based on the general interests of the Muslims, after which consensus was formed and everyone agreed with it, explicitly or implicitly. This indicates that the general interests of the Muslims (*al-maṣlaḥah al-mursalah*) may be taken as a sound basis for consensus with regard to those scholars who believe that it is a valid foundation for some actions.

3. This incident also shows us clearly how the *Ṣaḥâbah* used to discuss matters in a calm manner in an atmosphere of love and respect and with the aim of achieving that which was in the general interests of the Muslims. It also shows that they would adopt the sound view and be content with it after discussing the matter and reaching their conclusions. Once they were convinced of an opinion they would defend it as if it had been their view from the outset. In this manner they formed consensus on many rulings of ijtihad.[182]

[182] *Al-Ijtihâd fee al-Fiqh al-Islâmi*, by 'Abdus-Salâm as-Sulaymâni, p. 127.

CHAPTER THREE
Abu Bakr's Appointment of 'Umar as his Successor, the Bases and Principles of his Rule and his Life in Society

1. Abu Bakr's Appointment of 'Umar as his Successor and the Bases and Principles of his Rule

1.1. Abu Bakr's appointment of 'Umar as his successor

When Abu Bakr's sickness grew intense, the people gathered around him and he said: "There has befallen me what you see and I think I am going to die soon. Allah has freed you from your oath of allegiance to me, and your oath is no longer binding. Your affairs are in your hands, so appoint over you whomever you like. If you appoint someone whilst I am still alive, I think it is less likely that you will become divided after I am gone."[1]

The *Ṣaḥâbah* consulted one another, each of them trying to refuse the position of caliph for himself and seeking it for his brother whom he thought was fit and qualified for it. Hence they came back

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[1] *Al-Bidâyah wa an-Nihâyah*, 7/18; *Târeekh aṭ-Ṭabari*, 4/238.

to him and said: "We have decided to leave it to you, O' Successor (*khaleefah*) of the Messenger of Allah (ﷺ)." He said: "Give me time so that I may choose someone who will be most pleasing to Allah, most protective of His religion and His slaves." Then Abu Bakr called 'Abdur-Raḥmân ibn 'Awf and said to him: "Tell me about 'Umar ibn al-Khaṭṭâb." He said: "You do not ask me about a matter but you have more knowledge of it than I." Abu Bakr said: "Even so (tell me)." 'Abdur-Raḥmân said: "By Allah, he is better than you think he is." Then he called 'Uthmân ibn 'Affân and said: "Tell me about 'Umar ibn al-Khaṭṭâb." He said: "You know better than I do." He said: "Even so (tell me), O' Abu 'Abdullâh." 'Uthmân said: "By Allah, what I know is that what he conceals is better than what he shows outwardly, and there is no one else like him among us." Abu Bakr said: "May Allah have mercy on you, by Allah if I were not to choose him I would not choose anyone but you." Then he called Usayd ibn Ḥuḍayr and asked him a similar question, and Usayd said: "By Allah, I know that he is best after you. He is pleased with that which pleases Allah and is angry with that which angers Allah, and what he conceals is better than that which he shows outwardly. This matter (the caliphate) will never pass to anyone who is more able for it than him." He (Abu Bakr) also consulted Sa'eed ibn Zayd and a number of the Anṣâr and *Muhâjireen* and almost all of them were of one mind concerning 'Umar, except for Ṭalḥah ibn 'Ubaydullâh, who was concerned about 'Umar's harshness and said to Abu Bakr: "What will you say to your Lord when He asks you about appointing 'Umar over us when you have seen how harsh he is?" Abu Bakr said: "Sit me up. Are you trying to make me fear Allah? (Any ruler) who does you wrong is doomed. I will say: 'O' Allah, I appointed over them the best of your people.'"[2] He explained to them the reason why 'Umar was so harsh and strict and said: "That is because he

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[2] *Al-Kâmil* by Ibn al-Atheer, 2/79; *Târeekh al-Islâmi* by Maḥmood Shâkir, p. 101.

thinks I am too soft and gentle; when he is in charge he will change a great deal."[3] Then he put in writing a document to be read to the people of Madeenah and the Anṣâr by the commander of the army, the text of which was as follows:

"In the name of Allah, the Most Gracious, the Most Merciful.

This is what has been decided by Abu Bakr ibn Abi Quḥâfah at the end of his life as he is departing this world and as he enters the Hereafter, at the time (i.e., as death approaches) when *kâfirs* become believers and evildoers become certain (of their fate). I was only trying to do good for the sake of Allah and His Messenger and His religion and for myself and for you. If ('Umar) turns out to be fair and just, then this is what I think and know him to be, but if he changes then each person will be responsible for what he does. I intended nothing but good, and I have no knowledge of the unseen.

﴿... And those who do wrong will come to know by what overturning they will be overturned.﴾ *(Qur'an 26: 227)*"

The appointment of 'Umar was the last advice that Abu Bakr gave to the ummah. He realized that the temptation of worldly luxuries was becoming a reality and that the Muslims had lived a life of poverty that he knew all too well; he knew that if these people saw the luxuries of this world, they might indulge in their desires and thus it would influence them and dominate them, and that was what the Messenger of Allah (ﷺ) had warned them against.[4] The Messenger of Allah (ﷺ) said: «"By Allah, it is not poverty that I fear for you, rather my fear is that worldly luxury may become available to you as it became available to those who came before you, and that you will start competing in acquiring it as they competed and it will destroy

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[3] *Al-Kâmil* by Ibn al-Atheer, 2/79.

[4] *Târeekh al-Islâm* by adh-Dhahabi, *'Ahd al-Khulafa'*, Pp. 66-117; *Abu Bakr Rajul ad-Dawlah*, p. 99.

you as it destroyed them."»[5] Abu Bakr understood the problem so he was offering them an effective remedy... 'Umar was like a solid mountain which, if worldly luxury saw him, it would despair of him and flee. He was the man of whom the Prophet (ﷺ) said: «"O' son of al-Khaṭṭâb, by the One in Whose hand is my soul, the *Shayṭân* never sees you coming on a path but he takes another path."»[6]

The grave events which the ummah passed through began with the slaying of 'Umar. These adversities are the best testimony to the intuition of Abu Bakr when he appointed 'Umar as his successor. It was narrated that 'Abdullâh ibn Mas'ood said: "The most intuitive of people were three: the lady who said of Prophet Moosa (ﷺ):

﴾... O' my father! Hire him! Verily, the best of men for you to hire is the strong, the trustworthy.﴿ *(Qur'an 28: 26)*

— the companion of Prophet Yoosuf (ﷺ) when he said,

﴾... Make his stay comfortable, may be he will profit us or we shall adopt him as a son...﴿ *(Qur'an 12: 21)*

— and Abu Bakr when he appointed 'Umar as his successor."[7] 'Umar was the dam that shielded the ummah from the waves of *fitnah*.[8]

'Umar also spoke of the steps that he was going to take. 'Umar came to him, and Abu Bakr told him what he had decided to do concerning his appointment. 'Umar refused to accept it, and Abu Bakr threatened him with the sword, so 'Umar had no choice but to accept.[9] Abu Bakr wanted to tell the people himself whilst he was conscious and aware

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[5] Bukhari, *Kitâb al-Jizyah wa al-Muwâda'ah*, hadith no. 3158.

[6] Bukhari, *Kitâb Faḍâ'il Aṣḥâb an-Nabi*, hadith no. 3683.

[7] *Majma' az-Zawâ'id*, 10/268, with a *ṣaheeḥ* isnad.

[8] *Abu Bakr Rajul ad-Dawlah*, p. 100.

[9] *Ma'âthir al-Anâfah*, 1/49.

of what he was saying, so that there would be no confusion. So he looked out over the people and said to them: "Do you accept the one whom I appoint as your leader? For by Allah I have tried to appoint the best; I have not appointed a relative. I have appointed as your leader 'Umar ibn al-Khaṭṭâb, so listen to him and obey." They said: "We will listen and obey."[10] Then Abu Bakr turned in *du'â'* to Allah, expressing his concerns to Him. He said: "I have appointed him not by the command of Your Prophet, seeking nothing but what is in their best interests. I fear *fitnah* for them and I have thought long and hard about the matter. I have appointed over them the best of them and the one who is most keen to lead them in the right way. Now here I am with Your decree about to be fulfilled. Take care of them after I am gone for they are Your slaves."[11]

Abu Bakr commanded 'Uthmân (ﷺ) to read this will to the people and to receive their oaths of allegiance (*bay'ah*) to 'Umar before Abu Bakr died, after sealing the will to give it more authenticity and to ensure that this order would be carried out without any negative effects. 'Uthmân said to the people: "Will you swear allegiance the one who is named in this will?" They said: "Yes". So they all accepted that and approved of it.[12] After the will had been read to the people and they had agreed to it, they turned to 'Umar and gave him their oaths of allegiance.[13] Then Abu Bakr spent some time alone with 'Umar and gave him some advice so as to absolve himself of all responsibility and so that he could meet his Lord free from any responsibility after having done his best.[14] Among the advice he gave

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[10] *Târeekh aṭ-Ṭabari*, 4/248.

[11] *Ṭabaqât Ibn Sa'd*, 3/199; *Târeekh al-Madeenah* by Ibn Shabhah, 2/665-669.

[12] *Ṭabaqât Ibn Sa'd*, 3/200.

[13] *Dirâsât fee 'Ahd an-Nubuwwah wa al-Khilâfah ar-Râshidah* by ash-Shujâ', p. 272.

[14] Ibid.

was the following: "Fear Allah, O' 'Umar, and know that there are some deeds to be done for Allah during the day, which He will not accept at night, and some deeds to be done during the night which He will not accept during the day; He does not accept any *nafl* deeds until the obligatory duties have been done. Those whose deeds will weigh heavily in the Balance on the Day of Resurrection will do so only because of their following the truth, thus they will become heavy. And those whose deeds will weigh lightly in the Balance on the Day of Resurrection will do so only because of their following falsehood, thus they will become light. Allah has mentioned the people of Paradise and He mentions only the best of their deeds and overlooks their bad deeds, and when I think of them I say: I fear that I will not be one of them. And Allah has mentioned the people of Hell and He mentions only the worst of their deeds, and rejects their good deeds, and when I think of them I say: I hope that I will not be among them. One should be hoping for Paradise and fearing Hell, without having too much hope or despairing of the mercy of Allah. If you listen to my advice, no absent thing will be more hateful to you than death, but you cannot escape it."[15]

'Umar ibn al-Khaṭṭâb started to act as the caliph of the Muslims as soon as Abu Bakr (ﷺ) passed away.[16]

It may be noted that Abu Bakr's nomination of 'Umar ibn al-Khaṭṭâb could not have made him caliph unless it was based on the consent of the majority. This was achieved when Abu Bakr asked the people to look themselves for a successor to take the reins of leadership after he died. They put the matter back in his hands and said, we will follow your opinion.[17] But Abu Bakr did not nominate

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[15] *Ṣifat aṣ-Ṣafwah*, 1/264, 265.

[16] *Dirâsât fee 'Ahd an-Nubuwwah wa al-Khilâfah ar-Râshidah*, p. 272.

[17] *Al-Quyood al-Wâridah 'ala Sulṭat ad-Dawlah fee al-Islâm*, p. 172.

'Umar until after consulting the most prominent *Ṣaḥâbah*. He asked each one individually, and when he realized that they all agreed, he announced his nomination of 'Umar. So Abu Bakr's choice was based on the opinion of the ummah as expressed through its most prominent figures. But this nomination could not make 'Umar the caliph except with the ummah's consent, because the election of the ruler is the right of the ummah, and the caliph is no more than an agent who acts on behalf of the ummah, so he must have the consent of those on whose behalf he is acting. Hence Abu Bakr turned to the ummah and asked them: "Do you accept the one whom I appoint as your leader? For by Allah I have tried to appoint the best; I have not appointed a relative. I have appointed as your leader 'Umar ibn al-Khaṭṭâb, so listen to him and obey." They said: "We will listen and obey."[18] The words of Abu Bakr, "Will you accept the one whom I appoint as your leader?" indicate that the ummah is to control its own affairs and that this is the business of the ummah.[19]

'Umar assumed the position of caliph by the consensus of the decision makers, for they are the ones who delegated to Abu Bakr the task of selecting the next caliph, and they made him their deputy in that. So he consulted people, then he appointed the next caliph, then he announced this appointment to the people and they approved it and agreed with it. The decision makers in the ummah are the natural representatives of the ummah. Hence we see that the appointment of 'Umar was done in accordance with the most sound and fair principles of *shoora*.[20]

The steps which Abu Bakr took to appoint the caliph who would succeed him did not go beyond the framework of *shoora* at all,

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[18] *Târeekh aṭ-Ṭabari*, 4/248.

[19] *Al-Quyood al-Wâridah 'ala Sulṭat ad-Dawlah fee al-Islâm*, p. 172.

[20] *Abu Bakr aṣ-Ṣiddeeq*, by 'Ali aṭ-Ṭanṭâwi, p. 237.

even though the procedure differed from that by means of which Abu Bakr himself was elected.[21] Thus 'Umar was elected caliph by means of *shoora* and consensus. History does not record any dispute that arose concerning his caliphate after that; throughout his reign no one stood up to dispute the matter, rather he became caliph by universal acclaim and there was consensus that he was to be obeyed throughout his rule. Thus they were all united.[22]

1.2. *Shar'i* texts which indicate that 'Umar was more entitled to the caliphate

— 1 —

In the Qur'an there are verses which point to the validity of the caliphate of Abu Bakr, 'Umar and 'Uthmân (may Allah be pleased with them) and show that obedience to them was obligatory. Allah said, addressing His Prophet (ﷺ) concerning the Bedouin:

﴾If Allah brings you back to a party of them [the hypocrites], and they ask your permission to go out [to fight], say, 'Never shall you go out with me nor fight an enemy with me'...﴿ *(Qur'an 9: 83)*

Soorah at-Tawbah was undoubtedly revealed after the campaign of Tabook[23], from which the three who were forgiven stayed behind, the acceptance of whose repentance was revealed in *Soorah at-Tawbah*. The Prophet (ﷺ) did not take part in any military campaign after Tabook until he died. And Allah (ﷻ) said:

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[21] *Dirâsât fee 'Ahd an-Nubuwwah wa al-Khilâfah ar-Râshidah*, p. 272.

[22] Ibid.

[23] *Ad-Durr al-Manthoor fee at-Tafseer al-Ma'thoor*, 4/119, 122.

﴾Those who lagged behind will say, when you set forth to take the spoils, 'Allow us to follow you.' They want to change Allah's Words. Say, 'You shall not follow us; thus Allah has said beforehand.'...﴿ *(Qur'an 48: 15)*

This shows that the Bedouin were not to go out on military campaigns with the Messenger of Allah (ﷺ) after Tabook for this reason. Then, after saying that they were not to go on campaigns with the Messenger of Allah (ﷺ), Allah says:

﴾Say [O' Muhammad] to the bedouins who lagged behind, 'You shall be called to fight against a people given to great warfare, then you shall fight them, or they shall surrender. Then if you obey, Allah will give you a fair reward; but if you turn away as you did turn away before, He will punish you with a painful torment.'﴿ *(Qur'an 48: 16)*

Here Allah is telling them that someone other than the Prophet (ﷺ) would call them to fight certain people or they surrender, and He promised them a great reward if they obeyed the one who called them to that, and warned them of a painful punishment if they disobeyed the one who called them.[24]

Abu Muhammad ibn Ḥazm said: "No one called these Bedouins to 'fight certain people or they surrender' after the Prophet (ﷺ) except Abu Bakr, 'Umar and 'Uthmân (may Allah be pleased with them). Abu Bakr (ﷺ) called them to fight the Arabs of Banu Ḥaneefah who had apostatized, the companions of al-Aswad, Sajjâḥ and Ṭulayḥah, and the Byzantines and Persians, and others. 'Umar called them to fight the Byzantines and Persians, and 'Uthmân called them to fight the Byzantines, Persians and Turks.[25] So it was obligatory to obey Abu Bakr, 'Umar and 'Uthmân (may Allah be

[24] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah fee aṣ-Ṣaḥâbah al-Kirâm,* 2/634.
[25] *Al-I'tiqâd* by al-Bayhaqi, p. 173.

pleased with them) according to a clear and definitive text of the Qur'an which could not be interpreted in any other way. If it was obligatory to obey them, this means that their leadership and caliphate was valid.[26]

— 2 —

The Messenger of Allah (ﷺ) said: «"Whilst I was sleeping, I saw myself drawing water from a well with a bucket. Abu Bakr came and drew a bucket or two weakly. May Allah forgive him. Then 'Umar ibn al-Khaṭṭâb came and the bucket turned into a very large one in his hands. I had never seen any one so strong doing this task, all the people drank their fill and watered their camels that knelt down there."»[27]

This hadith points to the caliphate of the two *shaykhs* (Abu Bakr and 'Umar — may Allah be pleased with them); it also refers to 'Umar, his era and the great conquests that would take place during his time. This Prophetic dream is a clear example of what would happen to Abu Bakr and 'Umar (may Allah be pleased with them) during their caliphates and points to their good ways and the great impact they would have, and how the people would benefit from both of them. All of that came about as the result of their being influenced by the Prophet (ﷺ); he is the one who set the whole thing in motion and he did a perfect job when he established the foundation of this religion and explained its principles and major and minor issues. The people had entered the religion of Allah in crowds, then Allah (ﷻ) revealed the words:

﴿... This day, I have perfected your religion for you, completed My

[26] *Al-Faṣl fee al-Milal wa al-Ahwa' wa an-Niḥal*, 4/109, 110.
[27] Muslim, hadith no. 2393.

Favour upon you, and have chosen for you Islam as your religion...》 *(Qur'an 5: 3)*

When the Prophet (ﷺ) passed away, Abu Bakr (ﷺ) succeeded him as leader of the ummah for two years and a few months. This is what is referred to by the words, "[he] drew a bucket or two". The narrator was uncertain, but what was meant was two buckets, as is clearly stated in another report.[28] During his caliphate wars were fought against the apostates and their movement was utterly finished off. At the time of 'Umar, Islam spread further during his time, many rulings of Islam were enacted as never before, the reason being that his caliphate was lengthy and Islam reached many lands and much wealth was acquired through booty and other means. This hadith also points to the legitimacy of 'Umar's caliphate and describes its characteristics and how the Muslims would benefit from it.[29]

— 3 —

It was narrated that Ḥudhayfah said: «We were sitting with the Messenger of Allah (ﷺ) and he said, "I do not know how long I have left among you, so follow the two who come after me" — and he pointed to Abu Bakr and 'Umar — "and adhere to the guidance of 'Ammâr, and whatever Ibn Mas'ood tells you, believe it."»[30] This hadith clearly points to the legitimacy of 'Umar's caliphate because the Prophet (ﷺ) said, "follow the two who come after me", meaning the two caliphs who would come after him, Abu Bakr and 'Umar.

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[28] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah fee aṣ-Ṣaḥâbah al-Kirâm*, 2/635.
[29] Ibid.
[30] *Silsilat al-Aḥâdeeth aṣ-Ṣaḥeeḥah* by Shaykh al-Albâni, 3/233, 236; *Ṣaḥeeḥ Ibn Ḥibbân*, 15/328; *Muṣannaf Ibn Abi Shaybah*, 7/433; classed as *ṣaḥeeḥ* by Shaykh al-Albâni in *aṣ-Ṣaḥeeḥ*, 3/333-336.

The Prophet's command to obey them is indicative of his praise for them. Because they were qualified to be obeyed and heeded in whatever they commanded and forbade, which is indicative of the goodness of their conduct and sincerity of their hearts, and was a hint that they would be caliphs after he was gone. The reason why he encouraged the Muslims to follow the early generations was their good nature and attitude. Hence they were the best of people after the Prophets and the best of people after them were those who followed them in truth; this will remain so until the Day of Judgement.[31]

— 4 —

The Messenger of Allah (ﷺ) said: «"Whilst I was sleeping I saw a vessel being brought to me in which there was milk. I drank from it until I could see its moisture coming out of my fingers. Then I gave my leftovers to 'Umar ibn al-Khaṭṭâb." They said, "How did you interpret that, O' Messenger of Allah?" He said, "Knowledge."[32]

This hadith points to the legitimacy of 'Umar's caliphate. What is meant by knowledge here is knowledge of how to rule people according to the Book of Allah and the Sunnah of the Messenger of Allah (ﷺ). 'Umar is singled out in this manner because of the length of his caliphate compared to that of Abu Bakr, and because of how the people agreed to obey him compared with the case of 'Uthmân. Abu Bakr's caliphate was short, during which there were not many conquests which were among the greatest causes of dispute. Despite the length of his caliphate, 'Umar ruled the people in such a way that no one disputed with him. Then the conquests expanded during the caliphate of 'Uthmân, and different opinions and thoughts appeared,

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[31] *Fayḍ al-Qadeer* by al-Manâwi, 2/56.

[32] Muslim, vol. 4, hadith nos. 1859, 1860.

and he did not enjoy the same consensus among the people to obey him that 'Umar had enjoyed. From this stemmed the tribulations which ultimately ended in his murder. He was succeeded by 'Ali and the dissent and tribulations only grew worse. So this hadith clearly points to the legitimacy of 'Umar's caliphate.[33]

— 5 —

It was narrated from Abu Bakr that: «The Prophet (ﷺ) said one day, "Who among you has seen a dream?" A man said, "I saw as if a balance came down from heaven and you and Abu Bakr were weighed, and you weighed more than Abu Bakr. Then 'Umar and Abu Bakr were weighed and Abu Bakr weighed more. 'Umar and 'Uthmân were weighed and 'Umar weighed more. Then the balance was taken away." And we saw that the Messenger of Allah (ﷺ) was unhappy.»[34]

This hadith describes the three in order of virtue. The best of them is Abu Bakr, followed by 'Umar, followed by 'Uthmân (may Allah be pleased with them all). This hadith also points to the legitimacy of 'Umar's caliphate and indicates that he would become caliph after Abu Bakr (ﷺ). The reason why the Messenger of Allah (ﷺ) looked unhappy was because he knew that the removal of the balance was a referral to the decline of the ummah's affairs and the emergence of tribulations after the caliphate of 'Umar.[35]

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[33] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah fee aṣ-Ṣaḥâbah al-Kirâm*, 2/637.

[34] *Sunan Abi Dawood*, 2/512; *Sunan at-Tirmidhi*, 4/540.

[35] *'Awn al-Ma'bood Sharḥ Sunan Abi Dawood*, 13/387.

— 6 —

It was narrated that Ibn 'Abbâs (ﷺ) used to narrate that: «A man came to the Messenger of Allah (ﷺ) and said, "Last night I saw in a dream a cloud dripping butter and honey, and I saw the people scooping them up with their hands, some taking more and some taking less. And there was a rope stretched between heaven and earth. I saw you take hold of it and ascend, then another man took hold of it and ascended, then another man took hold of it and it broke, then was reconnected." Abu Bakr said, "O' Messenger of Allah, may my father be sacrificed for you, by Allah, let me try to interpret it." The Prophet (ﷺ) said, "Interpret it." He said, "As for the cloud, it is Islam. The dripping honey and butter are the Qur'an and its sweetness, and there are some who take a great deal of the Qur'an and some who take a little. The rope stretching from heaven to earth is the truth which you have held onto and it takes you up. Then another man takes hold of it and it takes him up, and another man takes hold of it and it breaks but then is connected and takes him up. Tell me O' Messenger of Allah, may my father be sacrificed for you, have I got it right or wrong?" The Messenger of Allah (ﷺ) said. "You have got some of it right and some of it wrong." He said. "By Allah, O' Messenger of Allah, tell me what I have got wrong." He said, "Do not swear."[36]

This hadith points to the legitimacy of 'Umar's caliphate. The words "then another man took hold of it and ascended" refer to Abu Bakr and the words "then another man took hold of it and it broke" refer to the caliphate of 'Umar (ﷺ).[37]

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[36] Muslim, vol. 4, hadith nos. 1777, 1778.

[37] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah*, 2/638.

— 7 —

It was narrated that Anas said: «Banu al-Muṣṭalaq sent me to the Messenger of Allah (ﷺ) and said, "Ask the Messenger of Allah (ﷺ) for us, to whom should we give our zakah after you are gone?" He said, "So I came to him and asked him, and he said, 'To Abu Bakr.' I came to them and told them, and they said, 'Go back and ask him, if something happens to Abu Bakr, then to whom (should we give it)?' I came to him and asked him, and he said, 'To 'Umar.' So I went to them and told them..."»[38]

This hadith indicates that 'Umar was entitled to the caliphate and that he would take control of the Muslims' affairs after the death of Abu Bakr (ﷺ).[39]

— 8 —

Another indication of the legitimacy of 'Umar's caliphate is the fact that the *Ṣaḥâbah* were unanimously agreed that they would not nominate anyone but the best among them. This may be reinforced by what Abu Bakr and 'Ali (may Allah be pleased with them both) said concerning him. Abu Bakr (ﷺ) said: "O' Allah, I have appointed as their leader the best of Your people."[40] With regard to what 'Ali (ﷺ) said, this was narrated by Bukhari from Muhammad ibn al-Ḥanafiyah — who was the son of 'Ali ibn Abi Ṭâlib — who said: «I asked my father: "Which of the people is best after the Messenger of Allah (ﷺ)?" He said, "Abu Bakr." I then asked, "Then who?" He said, "Then 'Umar." And I was afraid that

[38] *Al-Mustadrak*, 3/77. This hadith has a *ṣaḥeeḥ* isnad; and adh-Dhahabi agreed with him.

[39] *'Aqeedat Ahl as-Sunnah wa al-Jamâ'ah*, 2/639.

[40] *Aṭ-Ṭabaqât al-Kubra*, 3/274.

he would say 'Uthmân. I said, "Then you?" He said, "I am just one of the Muslims."»[41]

The *aḥâdeeth* that we have mentioned here clearly indicate that 'Umar (ﷺ) was entitled to the caliphate.[42]

As-Safâreeni (may Allah have mercy on him) said: "It should be noted that the caliphate of 'Umar ibn al-Khaṭṭâb, the Commander of the Faithful (ﷺ), is connected to the legitimacy of Abu Bakr's caliphate. The consensus of the ummah and the indications of the Qur'an and Sunnah indicate that his caliphate was well-founded. So whatever is accepted for the trunk (Abu Bakr) is also applicable to the branch ('Umar), and there is no room to cast aspersions or to dispute who is more entitled to the caliphate. The scholars knew definitively that the *Ṣaḥâbah* were unanimous in appointing Abu Bakr as caliph. If any one dissented, this odd view does not undermine the fact that there was undoubtedly consensus."[43]

1.3. Consensus concerning the appointment of 'Umar is well established

A number of reliable scholars narrated that there was consensus among the *Ṣaḥâbah* and those who followed them concerning the caliphate of 'Umar, including the following:

— 1 —

Abu Bakr Aḥmad ibn al-Ḥusayn al-Bayhaqi narrated with an isnad going back to 'Abdullâh ibn 'Abbâs (ﷺ) that he said: "I came

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41 Bukhari, *Kitâb aṣ-Ṣaḥâbah,* hadith no. 3671.

42 *'Aqeedat Ahl as-Sunnah fee aṣ-Ṣaḥâbah al-Kirâm*, 2/640.

43 *Lawâmi' al-Anwâr al-Bahiyah,* 2/326.

close to 'Umar when he had been stabbed, and said, "Receive the glad tidings of Paradise, O' Commander of the Faithful. You became Muslim when the people were still disbelievers, and you strove in jihad with the Messenger of Allah (ﷺ) when the people opposed him, and the Messenger of Allah (ﷺ) died when he was pleased with you, and no two people disputed concerning your caliphate, and you have been killed as a martyr." He said, "Say it again." So I said it again, and he said, "By Allah, besides Whom there is no other god, if I had in my possession all the gold and silver on earth, I would have paid it to ransom myself from the terror of the Day of Judgement."[44]

— 2 —

Abu Na'eem al-Aṣbahâni said, explaining the consensus on the caliphate of 'Umar: "Because of what Abu Bakr knew of the virtue and sincerity of 'Umar (ﷺ), and his ability to do whatever task he asked him to do, and the help and advice that he had given him at different times, because Abu Bakr was sincere towards Allah and the Muslims, he would not have appointed anyone else to this position. Because Abu Bakr knew full well that the *Ṣaḥâbah* recognized in 'Umar the sincerity and ability that he recognized, and that they knew him very well and there was no confusion concerning him, he gave this option (the appointment of 'Umar) to the Muslims and they accepted it. If they had had any doubts concerning him they would have opposed him and they would not have followed him and obeyed him as they did Abu Bakr (ﷺ). So his caliphate was well founded, as was that of Abu Bakr, and Abu Bakr acted as an advisor to them, pointing out the best and most perfect, so they accepted that advice from him and followed it.[45]

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[44] *Al-I'tiqâd* by al-Bayhaqi, p. 188.

[45] *Kitâb al-Imâmah wa ar-Radd 'ala ar-Râfiḍah*, p. 274.

— 3 —

Abu 'Uthmân aṣ-Ṣâbooni said — after describing how Abu Bakr was appointed caliph by the choice and consensus of the *Ṣaḥâbah* —: "Then 'Umar ibn al-Khaṭṭâb was appointed caliph by Abu Bakr, and by the consensus of the *Ṣaḥâbah* after he was gone. And by means of his leadership, Allah caused His religion to prevail."[46]

— 4 —

An-Nawawi said, when describing how the *Ṣaḥâbah* implemented the advice of Abu Bakr to appoint 'Umar as caliph: "They unanimously agreed to Abu Bakr's choice and to implement his appointment of 'Umar."[47]

— 5 —

Ibn Taymiyah said: "With regard to 'Umar, Abu Bakr appointed him as his successor and the Muslims swore their allegiance to him as their leader after the death of Abu Bakr. Thus he became caliph because of the power and authority he gained by means of their oath of allegiance."[48]

— 6 —

The commentator on *aṭ-Ṭaḥḥâwiyah* said:

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[46] *'Aqeedat as-Salaf wa Aṣḥâb al-Ḥadeeth*, in *Majmoo'at ar-Rasâ'il al-Minbariyah*, 1/129.

[47] *Sharḥ an-Nawawi 'ala Ṣaḥeeḥ Muslim*, 12/206.

[48] *Minhâj as-Sunnah*, 1/143.

"After Abu Bakr (ﷺ), the caliphate passed to 'Umar (ﷺ) by means of Abu Bakr's appointing him as his successor, and the subsequent consensus of the ummah."[49]

From the reports mentioned above, it is clear that 'Umar was appointed caliph by the unanimous agreement of the Companions of the Messenger of Allah, as they accepted Abu Bakr's nomination of 'Umar as caliph and no one objected to that. This is the unanimous view of the saved group of *Ahl as-Sunnah wa al-Jamâ'ah*, who agree on that which the Companions of the Messenger of Allah (ﷺ) agree. No one differed from that except those whose opinion carries no weight, of those groups who bear grudges against some of the Companions of the Messenger of Allah (ﷺ), such as the Râfiḍi Shi'ah and those who followed them in this issue. Some may object to the consensus of the *Ṣaḥâbah* mentioned above because of the report of Ibn Sa'd and others — according to which some of the *Ṣaḥâbah* heard that 'Abdur-Raḥmân ibn 'Awf and 'Uthmân entered the place of Abu Bakr and one of them said: "What will you say to your Lord when He asks you why you appointed 'Umar as caliph over us, when you have seen how harsh he is?" Abu Bakr said: "Sit me up. Are you telling me to have fear of Allah? He is doomed who gains nothing from indulging in your affairs but wrongdoing. I shall say, 'O' Allah, I appointed over them as caliph the best of Your people. Tell those who are out there what I have said to you.' "[50] The answer to this objection — if this report is *ṣaḥeeḥ* — is that they said this not because they were unaware of 'Umar's superiority and his fitness to rule as the successor to Abu Bakr, but because they were concerned about his harshness. They were not making any accusations against him with regard to his ability and sincerity.[51]

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[49] *Sharḥ aṭ-Ṭaḥḥâwiyah*, p. 539.

[50] *Aṭ-Ṭabaqât li Ibn Sa'd*, 3/199.

[51] *Kitâb al-Imâmah wa ar-Radd 'ala ar-Râfiḍah*, p. 276.

1.4. The speech given by 'Umar when he became caliph

Reports vary as to the first speech given by 'Umar. Some of them said that he ascended the *minbar* and said: "O' Allah, I am harsh so make me softer; I am weak so make me strong; I am stingy so make me generous."[52]

And it was narrated that the first speech he gave was: "Allah is testing you with me and testing me with you after my two companions. By Allah, I will not delegate to anyone else any of your affairs that I can deal with directly, and if there is anything that I cannot deal with directly, I will try to delegate it to people who are able to deal with it and are trustworthy. By Allah, if they (governors) do well, I will reward them, and if they do badly, I will punish them." Those who heard his speech and narrated it said: "By Allah, that was his way until he departed this world."[53]

And it was narrated that when he became caliph, he ascended the *minbar* and wanted to sit at the same level as Abu Bakr had sat, then he said: "I would not like Allah to see me putting myself on the same level as Abu Bakr." So he went down one step, then he praised Allah, then he said: "Read Qur'an and you will be recognized for it; act upon it and you will be among its people; bring yourselves to account before you are brought to account; prepare yourselves for the great parade on the Day when you will be brought to judgement before Allah and not a secret of you will be hidden *(cf. Qur'an 69: 18)*. No one who is in a position to be obeyed should be obeyed in anything that involves disobedience towards Allah. With regard to the wealth of Allah, I see myself as being like the guardian of an orphan; if I find

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[52] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, Pp. 170, 171.

[53] *Aṭ-Ṭabaqât*, 3/275.

a means of being independent I will refrain from taking anything but if I need to, I will take on a reasonable basis."[54]

We can reconcile between these reports if we assume that 'Umar delivered his speech in front of a number of people, some of whom remembered and reported some parts and others remembered and narrated other parts. There is nothing strange about Umar's mixing political and administrative statements with religious exhortation in the first part of his speech, because that was the method of the early Imams who did not see any difference between fearing Allah and enjoining others to do likewise, and running the affairs of people in accordance with Allah's laws. There is also nothing strange about 'Umar showing respect to his predecessor Abu Bakr and not sitting in the same place as he used to sit, thus making himself equal with him in the people's eyes. 'Umar thought to himself and came down one degree from the place where Abu Bakr used to sit.[55]

According to another report, two days after 'Umar was appointed as caliph, the people started talking and saying how worried they were about his harshness and punishments, so 'Umar realized that he had to clarify the matter himself. He ascended the *minbar* and addressed them, describing how the Prophet (ﷺ) and Abu Bakr had been and what their method of dealing with people was, and how they had been pleased with 'Umar when they died. Then he said:

"I have been appointed as your leader, O' people, so understand that that harshness has become less, and it will only be applied to

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[54] *Kanz al-'Ummâl*, no. 44214, quoting from *ad-Dawlah al-Islâmiyah* by Dr. Ḥamdi Shaheen, p. 120.

[55] *Ad-Dawlah al-Islâmiyah fee 'Aṣr al-Khulafa' ar-Râshideen*, by Dr. Ḥamdi Shaheen, p. 120.

wrongdoers and oppressors. I will not allow anyone to oppress anyone else or to transgress the rights of others, but I will put his cheek on the ground and place my foot on his other cheek, until he submits to the truth. In contrast to that former harshness of mine, I will lay my own cheek on the ground before those who are humble and modest. O' people, I make some promises to you, which I will mention so that you will hold me to them. I promise that I will not take anything of your taxes or of the booty (*fay'*) that Allah grants to you, except in the proper manner. I promise you that whatever I do take, I will not spend it except in the proper manner. I promise you that I will increase your stipends, if Allah wills, and I will protect your borders. I promise you that I will not throw you into dangerous places or keep you away from your families for a long time to guard the borders; when you are away on military campaigns, I will be responsible for your children until you come back to them. Fear Allah, O' slaves of Allah, and help me by keeping your evil away from me and by enjoining what is good and what is evil and by giving me sincere advice with regard to the way I am running your affairs. I say these words of mine and I ask Allah to forgive me and you."[56]

According to another report: "The likeness of the Arabs is that of an amenable yet proud camel following its driver, so let its driver watch where he is leading it. By the Lord of the Ka'bah, I will direct you to follow the (right) path."[57]

From these reports of what 'Umar said in his speech when he became caliph, we can see clearly the method that he followed in his rule, from which he never deviated. The most important points of that method are as follows:

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[56] *Al-Idârah al-'Askariyah fee 'Ahd al-Fârooq*, p. 106.

[57] *As-Siyâsah ash-Shar'iyah* by Dr. Isma'eel Badawi, p. 160, quoting from aṭ-Ṭabari.

— 1 —

He regarded his caliphate as a trial with which he was being tested and for which he would be brought to account as to whether he had done his duty properly. According to the Rightly-Guided Caliphs (may Allah be pleased with them), rulership was a responsibility, an obligation and a trial. It was not the matter of status, honour and superiority.

— 2 —

This appointment required him to deal directly with matters of state in matters that he could handle himself, and to appoint over the people in other regions the best and most qualified of leaders. But — in 'Umar's view — that was not enough to absolve him of responsibility before Allah. Rather he believed that watching over these governors was an inescapable duty; he rewarded those of them who did well and punished those who did badly.[58] We will discuss this more fully below, when we look at the institution of governorship and the role that 'Umar played in its development.

— 3 —

The harshness which the people feared on 'Umar's part would turn into softness and mercy. He was going to set up the balance of justice, so that those who transgressed and wronged others would find nothing but humiliation and punishment: "I will not allow anyone to oppress anyone else or to transgress the rights of others, but I will put his cheek on the ground..." But those who were modest, religiously committed and humble would find unsurpassed mercy: "I

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[58] *Ad-Dawlah al-Islâmiyah fee 'Asr al-Khulafa' ar-Râshideen*, p. 121.

will lay my own cheek on the ground before those who are humble and modest."[59]

We will see clearly how just 'Umar (ﷺ) was towards the people when we look at different incidents and his concern with the judiciary system and how he developed it until justice prevailed in all the provinces of the Islamic state.

— 4 —

The caliph took on the responsibility of defending the ummah and its religion, and of defending the borders and warding off danger, but that was not going to be achieved by being unjust towards the fighters, therefore he was not going to keep them at the borders until they could no longer take it. When they were away with the army, the caliph and his administration would take care of their children and families.[60] 'Umar developed the military institutions and the Islamic state became a "superpower" that was unrivalled in the world at that time.

— 5 —

The caliph promised to pay the people all their dues in full from taxes and booty. He would not ask for any of it or spend any of it inappropriately. Rather he was going to give them more and increase their stipends as long as jihad and military campaigns continued. He urged the people to work hard and controlled the financial situation of the state[61], regulating the income of the treasury (*bayt al-mâl*) and the way in which money was spent.

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[59] Op. cit., p. 121; *Mahḍ aṣ-Ṣawâb*, 1/385 (p. 116 note 4).

[60] Ibid.

[61] *Ad-Dawlah al-Islâmiyah fee 'Aṣr al-Khulafa' ar-Râshideen*, p. 122.

— 6 —

In return for all that, he expected the people to do their duty of being sincere towards the caliph, listening to him and obeying him, enjoining what is good and forbidding what is evil. This encouraged transparency and accountability in the Islamic society.

— 7 —

He drew attention to the fact that this could not be achieved except by fearing Allah, checking oneself and being aware that one would be brought to account in the Hereafter.[62]

— 8 —

Shaykh 'Abdul-Wahhâb an-Najjâr commented on 'Umar's words, "The likeness of the Arabs is that of an amenable yet proud camel..." by saying: "The amenable camel is that which is easygoing, but does not like to be yelled at or beaten. It gives willingly and walks smoothly and easily. This is an apt description of the Muslim ummah at his time, because they used to listen and obey, when they were commanded to do something they would follow that command and when they were forbidden to do something they would heed that prohibition. As a result of that, the leader bore a great deal of responsibility: he had to run the ummah's affairs with wisdom and be careful in the way in which he took decisions, so that he would not lead the ummah down dangerous paths or expose it to risk, or neglect its affairs. What he meant by the (right) path was the straight path in which there is no crookedness. And he indeed fulfilled that which he swore he would do.[63]

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[62] Op. cit., p. 122.

[63] *Al-Khulafa' ar-Râshidoon*, p. 123.

— 9 —

With regard to harshness and gentleness, Allah has decreed that people will keep away from a harsh person even if he is sincere and desires good for them and cares about them.[64] This is indicated in the verse in which Allah (ﷻ) says:

﴿And by the Mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away from about you; so pass over [their faults], and ask [Allah's] forgiveness for them; and consult them in the affairs.﴾

(Qur'an 3: 159)

Hence when 'Umar was appointed caliph, his *du'â'* was: "O' Allah, I am harsh so make me lenient." Allah answered this *du'â'* and filled 'Umar's heart with compassion, mercy and kindness, which became his characteristics after he became caliph. During the time of the Messenger (ﷺ) and Abu Bakr, the people knew him as strict and harsh, and history depicts him as the only one, from the time he entered Islam until he became caliph, who played the role of toughness and strength alongside the Messenger (ﷺ) and Abu Bakr, until he became the ruler, whereupon his character changed and he became merciful, easygoing and compassionate.[65]

— 10 —

The public *bay'ah* at the time of the Rightly-Guided Caliphs was restricted to the people of Madeenah only. Some of the Bedouins and tribes who lived around Madeenah or who were visiting the city may have been present and sworn the oath of allegiance. As for the

[64] *As-Sunan al-Ilâhiyah min al-Umam wa al-Jamâ'ât wa al-Afrâd*, by Zaydân, p. 282.

[65] *Al-Idârah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, p. 107.

rest of the regions, they were bound to follow whatever was decided in the City of the Prophet (ﷺ). This did not affect the *bay'ah* or make it any less legitimate; it would have been impossible to take the oath of allegiance from every single Muslim in the regions, and the state needed a caliph to run its affairs. Moreover the other Muslim regions gave their approval to what happened in Madeenah with regard to the appointment of Abu Bakr, 'Umar and 'Uthmân, whether explicitly or implicitly. No doubt the methods used by the people in the earliest Islamic times reflect the fact that the state and its institutions were still developing.[66]

— 11 —

Women and the oath of allegiance:

During my research I could not find any indication that women gave their oath of allegiance at the time of Abu Bakr and 'Umar and at the time of the Rightly-Guided Caliphs. The ancient books on shari'ah-based politics do not refer to women's right to give the oath of allegiance or describe it as their duty — as far as I know. It seems that during most eras of Islamic history, *bay'ah* was restricted to the men only, in exclusion of women. Men did not call on women to be involved, and women did not demand that. Women's absence from the process of *bay'ah* was regarded as something natural, to the extent that the scholars who discussed Islamic constitutional rights did not mention women at all. But these historical and fiqhi facts do not alter the *shar'i* ruling. There is nothing in the Qur'an or Sunnah — which are the main sources of shari'ah — to suggest that women should not play a role in the *bay'ah* process alongside men.[67]

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[66] *Nidhâm al-Ḥukm fee ash-Shari'ah wa at-Târeekh al-Islâmi*, p. 260.
[67] Ibid, 1/277.

— 12 —

Returning Arab female prisoners of war:

The first decision that 'Umar took as ruler was the decision to return the female prisoners captured from the apostates to their tribes. He said: "I would not like the taking of female prisoners to become a custom among the Arabs."[68]

This courageous step made the Arabs feel that they were all equal before the law of Allah, and that no tribe was superior to another, except in terms of how much they strove for the sake of Allah and the services that they offered to Islam and the Muslims. He followed this step with another, namely allowing those former apostates who had repented openly to play a role in the wars against the enemies of Islam. They proved their courage in war and were steadfast in combat, and they demonstrated unmatched loyalty to the state.[69]

— 13 —

The caliphate had become deeply rooted in the hearts of the ummah and become a symbol of Muslim unity and strength. The researcher can see the high capability that the noble *Ṣaḥâbah* enjoyed, and the extent of the originality of their work when he realizes that what they established within a few short hours on the same day that the Messenger (ﷺ) died, it took the British conspirators a quarter of a century to destroy, even though the British themselves used to call the caliphate the "sick old man" at that time. What strength this caliphate had, and how deep were its roots; even

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[68] *Al-Khilâfah wa al-Khulafa' ar-Râshidoon*, p. 160.

[69] *Jawlah Târeekhiyah fee 'Aṣr al-Khulafa' ar-Râshidoon*, by Dr. Muhammad as-Sayyid al-Wakeel, p. 89.

after it had become no more than a symbol with no real power, it still took a full quarter of a century to destroy it, after it had lasted for many centuries.[70]

— 14 —

The difference between a king and a caliph:

'Umar said: "By Allah, I do not know if I am a caliph or a king. If I am a king this is a serious matter." Someone said to him: "There is a difference between them. A caliph does not take anything except rightfully, and he does not give anything except rightfully, and you — praise be to Allah — are like that. A king oppresses the people, taking from one and giving to another." And 'Umar fell silent.[71]

According to another report, 'Umar asked Salmân al-Fârisi: "Am I a king or a caliph?" Salmân said: "If you collect from the land a *dirham*, or less or more, and put it where it does not belong, then you are a king and not a caliph." And 'Umar wept.[72]

1.5. *Shoora*

One of the foundations of the Islamic state is the necessity for the leaders and rulers of the state to consult the Muslims and accept what they are pleased with, so the *shoora* system should be in place. Allah (ﷻ) says:

﴾And by the Mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away

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[70] *Al-Ḥaḍârah al-Islâmiyah,* by Dr. Muhammad 'Âdil, p. 30.

[71] *Ash-Shaykhân Abu Bakr aṣ-Ṣiddeeq wa 'Umar ibn al-Khaṭṭâb min Riwâyat al-Balâdhuri,* p. 257.

[72] Ibid, p. 256

from about you; so pass over [their faults], and ask [Allah's] forgiveness for them; and consult them in the affairs. Then when you have taken a decision, put your trust in Allah, certainly, Allah loves those who put their trust [in Him].﴿ *(Qur'an 3: 159)*

And Allah says:

﴾And those who answer the Call of their Lord [i.e. to believe that He is the only One Lord (Allah), and to worship none but Him Alone], and perform *aṣ-Ṣalâh* [*Iqâmat aṣ-Ṣalâh*], and who [conduct] their affairs by mutual consultation, and who spend of what We have bestowed on them.﴿ *(Qur'an 42: 38)*

This verse mentions consultation (*shoora*) among the Muslims alongside establishing prayer, which indicates that the ruling on *shoora* is like the ruling on prayer. The ruling on prayer is that it is obligatory according to shari'ah, and by the same token *shoora* is obligatory according to shari'ah.[73] 'Umar adopted the principle of *shoora* in his state; he did not exclude others from the decision-making process or issue any decree concerning public affairs without discussing it with others. If something new came up, he did not take a decision on how to handle it without first gathering the Muslims together and discussing it with them and consulting them.

It was narrated that he said:

"There is nothing good in a decision taken without consultation."[74]
"An individual opinion is like a single thread, two opinions are like two interwoven threads, and three can never be broken."[75]
"Consult regarding your affairs those who fear Allah."[76]

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[73] *An-Nidhâm as-Siyâsi fee al-Islam* by Abu Fâris, p. 9.
[74] *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 246.
[75] *Sirâj al-Mamlook* by aṭ-Ṭarṭooshi, p. 132.
[76] *Al-Idarah al-'Askariyah fee ad-Dawlah al-Islâmiyah* by Sulaymân Âl Kamâl, 1/273.

"Men are of three types: a man who deals with problems according to his own opinion; a man who consults others with regard to matters he is confused about and follows the opinion of those who have wisdom; and a man who is confused and helpless, as he does not consult others and cannot take decisions."[77]

"It is the duty of the Muslims to run their affairs by consultation between them and people of wisdom, as the people should follow those who are in charge of their affairs. So long as they are united then their opinion becomes binding on the people and the people should follow them. Whoever becomes in charge of the Muslims' affairs should follow the opinion of the people of wisdom and whatever they suggest is in the best interests of the Muslims, and whatever plans they draw up in the case of war, the people should follow their opinion."[78]

'Umar used to urge his military commanders to engage in *shoora* (mutual consultation). When he sent Abu 'Ubayd ath-Thaqafi to fight the Persians in Iraq, he said to him: "Listen to and obey the Companions of the Prophet (ﷺ) and let them have a say, especially those among them who were present at Badr."[79]

He used to write to his commanders in Iraq, telling them to consult 'Amr ibn Ma'diyakrib and Ṭalḥah al-Asadi concerning their military affairs. He said to them: "Consult Ṭalḥah al-Asadi and 'Amr ibn Ma'diyakrib and seek their help concerning war, but do not give them any control over your affairs, for each person knows his own field best."[80]

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[77] Op. cit.

[78] *Aṭ-Ṭabari*, 3/481, quoted from *al-Idarah al-'Askariyah.*

[79] *Murooj adh-Dhahab*, 2/315.

[80] *Siyar A'lâm an-Nubala'*, 1/317.

And he wrote to Sa'd ibn Abi Waqqâṣ (saying): "You should have some among the Arabs of whose sincerity you are certain, because you will not benefit from what a liar tells you, even if he occasionally tells the truth. The traitor is spying against you, not for you."[81]

One of the things that 'Urwah said to 'Utbah ibn Ghazwân when he sent him to Baṣrah was: "I have written to al-'Ala' al-Ḥaḍrami[82], telling him to send 'Arfajah ibn Harthamah[83] to you, for he is experienced in warfare and in drawing up plans to defeat the enemy. When he comes to you, consult him and keep him close to you."[84]

The way in which 'Umar put *shoora* into practice was good. He used to consult the common people first and listen to them, then he would gather the elder Companions of the Messenger of Allah (ﷺ) and the people of wisdom among them, tell them about the issue and ask them to reach a good conclusion, and whatever they agreed upon, he would carry it out. His actions in this case are similar to those of constitutional regimes in many kingdoms where issues are first discussed in the parliament, for example, then after being agreed upon by the majority, they are referred to a higher council which may be called "senators" or "lords", and once that council has reached its decision, the king executes a decree. The difference between what 'Umar did and what these kingdoms do is that in 'Umar's case it was based on his own ijtihad, without there being any system or laws in place.[85] On many occasions, 'Umar examined an issue, thought about it and expressed his view, then the weakest of people would

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[81] *Nihâyat al-Arab*, 6/169.

[82] *Al-Idârah al-'Askariyah fee ad-Dawlah al-Islâmiyah*, 1/274,

[83] *Al-Iṣâbah*, 2/491.

[84] *Al-Idârah al-'Askariyah fee ad-Dawlah al-Islâmiyah*, 1/275.

[85] *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 246.

come and explain the correct view, offering evidence for that, and 'Umar would retract his mistaken view and accept the correct view once he became convinced of it.[86]

The issues that required *shoora* became numerous during 'Umar's rule because many new issues arose as Islam spread and reached lands with civilizations, traditions and different systems. New problems were created which required comprehensive ijtihad, such as how to deal with conquered lands, how to regulate stipends according to new principles, how war booty collected by the state was to be spent. 'Umar used to assemble the largest number of senior *Ṣaḥâbah* he could for *shoora*[87], and the shaykhs of Badr enjoyed a special status with regard to *shoora* because of their virtue, knowledge and superiority.

But 'Umar started to add younger people to the gatherings too, because he knew that the elders were approaching the end of their lives and would soon go to their Lord and His mercy and forgiveness, and the state needed to renew its manpower. The brilliant 'Umar realized this fact and started to choose from among the youth of the ummah those whom he sensed were knowledgeable and pious. 'Abdullâh ibn 'Abbâs was one of the first of them, and 'Umar continued to choose some of the youth of the ummah as advisors based on how much they knew of the Qur'an. 'Abdullâh ibn 'Abbâs said: "Those who were well-versed in Qur'an were the members of 'Umar's council and his advisors, whether they were old or young."[88]

Az-Zuhri said to some young people: "Do not think too little of yourselves because you are young, for when 'Umar ibn al-Khaṭṭâb

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[86] Op. cit., p. 247.

[87] *'Aṣr al-Khilâfah ar-Râshidah*, p. 90.

[88] Ibid, p. 147.

was faced with a difficult problem, he would call the young people and seek their advice, relying on the sharpness of their minds.[89]

Muhammad ibn Sireen said: 'Umar used to consult people about matters and he would even consult the women, and if he saw something in a woman's opinion that he thought was good, he would follow it. It is narrated that on one occasion he consulted the Mother of the Believers Ḥafṣah (ﷺ).[90]

'Umar also had an inner circle from among the *Ṣaḥâbah* and people of wisdom and understanding, including al-'Abbâs ibn 'Abdul-Muṭṭalib and his son 'Abdullâh — who was with him almost constantly, whether he was travelling or not — and 'Uthmân ibn 'Affân, 'Abdur-Raḥmân ibn 'Awf, 'Ali ibn Abi Ṭâlib[91], Mu'âdh ibn Jabal, Ubayy ibn Ka'b, Zayd ibn Thâbit[92], and others of their caliber whom he used to consult and seek their advice.[93] These advisors used to express their views with full freedom and frankness. 'Umar never accused any of them with regard to his character and honesty. 'Umar used to consult them with regard to matters concerning which there was no clear text in the Qur'an and Sunnah, aiming to find out whether one of the *Ṣaḥâbah* knew something from the Sunnah concerning it, for some of the *Ṣaḥâbah* might have known things that others did not. Similarly he used to seek advice in understanding those texts which might carry more than one meaning, in order to become familiar with all the possible meanings. With regard to these situations (concerning which there was no text), he would sometimes be content to seek the advice of one person or of a few people.

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[89] *'Aṣr al-Khilâfah ar-Râshidah,* p. 90.

[90] Ibid.

[91] *As-Sunan al-Kubra* by al-Bayhaqi, 9/29, quoting from *'Aṣr al-Khilâfah ar-Râshidah,* p. 90.

[92] *al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 247.

[93] *'Aṣr al-Khilâfah ar-Râshidah,* p. 90.

With regard to calamities, he would assemble the *Ṣaḥâbah* and widen the circle of advisors as much as possible, as he did when the plague struck Syria when he was on his way there.[94] News of that reached 'Umar when the governors came to meet him in Saragh, which is a place near Syria. The *Muhâjireen* and Anṣâr were with 'Umar, so he assembled them and asked them whether he should carry on or go back. They differed concerning that. Some said, "You came out seeking the pleasure of Allah and this should not stop you from carrying on." Others said: "It is a trial and death, and we do not think that you should go and meet it." Then he summoned the *Muhâjireen* of Quraysh, and they did not differ concerning the matter, rather they advised him to go back. So 'Umar called out to the people: "In the morning we will head back." Abu 'Ubaydah said: "Are you running away from the decree of Allah?" He said: "Yes. We are running away from the decree of Allah to another decree. Do you think that if you have camels and you go to a valley in which there are two areas, one which is green and one which is arid, if you graze your camels in the green area that is by the decree of Allah, and if you graze them in the arid area that is also by the decree of Allah?" 'Abdur-Raḥmân ibn 'Awf heard them and came to them and said: "The Prophet (ﷺ) said: «'If you hear that this epidemic is in some land, then do not go there, and if it strikes a land when you are there, do not leave and flee from it.' "»[95]

The areas of *shoora* at the time of 'Umar were many and varied, such as the administrative and political fields, such as the selection of agents and governors, military matters, purely *shar'i* issues, such as determining *shar'i* rulings on whether things were *ḥalâl* or *ḥarâm*, and matters pertaining to courts and the passing of

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[94] *'Aṣr al-Khilâfah ar-Râshidah*, p. 91.

[95] Muslim, *Kitâb as-Salâm*, vol. 4, hadith nos. 1740 and 2219.

judgements.[96] We will discuss the various fields in which *shoora* was applied, and 'Umar's efforts to find the strongest evidence, in the appropriate places in this book, *in sha' Allâh*. What we would like to emphasize is that the caliphate of the Rightly-Guided Caliphs was based on the principle of *shoora* which is derived from the Qur'an and Sunnah. The reign of 'Umar was not an isolated case which was something invented solely by him, rather it was one of the principles of the divine system of Islam.

1.6. Justice and equality

One of the aims of Islamic rule is to set out the principles of the Islamic system for the purpose of establishing an Islamic society. Among the most important of these principles are justice and equality. In the speeches which 'Umar gave to the ummah, he affirmed these principles, and his justice and sense of equality were manifested in the speech which he delivered to the ummah on the day when he became caliph. Undoubtedly justice, in 'Umar's mind, meant the justice of Islam, which is the main pillar of Islamic society and Islamic rule. Islam cannot exist in a society where injustice prevails and justice is unknown.

The establishment of justice between people on the individual, social and international levels is not a voluntary matter that depends on the moods or whims and desires of a ruler. Rather the establishment of justice between people is regarded as one of the most sacred and important of duties in Islam. The ummah is unanimously agreed that justice is obligatory.[97] Al-Fakhr ar-Râzi said:

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[96] *Al-Quyood al-Wâridah 'ala Sulṭat ad-Dawlah fee al-Islâm*, Pp. 167, 168.

[97] *Fiqh at-Tamkeen fee al-Qur'an al-Kareem* by aṣ-Ṣalâbi, p. 455.

"They (the scholars) are unanimously agreed that whoever is a ruler (or judge) must rule (or judge) with justice."[98]

This ruling is supported by the texts of the Qur'an and Sunnah. One of the goals of the Islamic state is to establish an Islamic state in which justice and equality prevail and injustice is eliminated and opposed in all its forms. The state should provide opportunities for each person who is seeking his rights to attain them in the quickest and easiest manner possible without that costing him any effort or money. The state should prevent all means that put obstacles in the way of the one who is seeking his rights. This is what 'Umar did in his state. He opened the doors to enable all people to get what is their due and he himself checked on the people's situation, protecting them from oppression and establishing justice between the governors and the people, not caring whether the one against whom judgement was passed was a relative or an enemy, rich or poor. Allah (ﷻ) says:

﴾O' you who believe! Stand out firmly for Allah as just witnesses; and let not the enmity and hatred of others make you avoid justice. Be just: that is nearer to piety; and fear Allah. Verily, Allah is Well-Acquainted with what you do.﴿ *(Qur'an 5: 8)*

'Umar's example of justice captured hearts and minds. In his view, justice was a practical way of calling people to Islam and opening people's hearts to faith. He followed the same method as the Prophet (ﷺ), a way which was based on justice that encompassed all people. His success on the practical level is unprecedented, so much so that his name became synonymous with justice and anyone who learns even a little about his life story can hardly separate the two. There are a number of factors that contributed to this great success, including the following:

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[98] *Tafseer ar-Râzi*, 10/141.

— 1 —

His caliphate lasted longer than that of Abu Bakr. 'Umar's caliphate lasted for ten years whereas Abu Bakr's lasted only two years and a few months.

— 2 —

He adhered firmly to the truth, to such an extent that he was stricter with himself and his own family than with the people, as we shall see.

— 3 —

The concept of meeting Allah was deeply rooted in his mind, to such an extent that in all that he did, he sought the pleasure of Allah before the pleasure of the people, and he feared Allah but he did not fear anyone among the people.

— 4 —

The authority of shari'ah held sway in the hearts of the *Ṣaḥâbah* and *Tâbi'een*, so that 'Umar's actions met with strong support and a great deal of cooperation from everyone.[99]

— 5 —

There are some examples of his attitude in establishing justice and fairness among the people:

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[99] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen*, by Ḥamad Muhammad aṣ-Ṣamad, p. 145.

He ruled in favour of a Jewish man against a Muslim; the fact that the Jew was a *kâfir* did not cause him to be unjust towards him or to be biased against him. Imam Mâlik[100] narrated from Sa'eed ibn al-Musayyib that a Jew and a Muslim referred their dispute to 'Umar ibn al-Khaṭṭâb (ﷺ). 'Umar saw that the Jew was in the right and he ruled in his favour. The Jew said to him: "By Allah you have ruled aright."[101]

'Umar (ﷺ) used to command his agents to come and meet him on certain occasions, and when they had gathered he would say: "O' people, I do not send my agents to you to beat you or to take your money, rather I send them to protect you against any injustice and to divide the war booty among you. If anyone has had anything else done to him, let him stand up." No one stood up except one man who stood up and said, "O' Commander of the Faithful, your agent gave me one hundred lashes." He asked, "What did you beat him for? Get up and settle the score." 'Amr ibn al-'Âṣ stood up and said, "O' Commander of the Faithful, if you do that, things will go out of control and it will set a precedent that people will follow after you." He asked, "Should I not establish justice when the Messenger of Allah allowed people to settle scores with him?" He said: "Then let us make a deal with him." He said: "Here he is, work it out with him." So they compensated him by giving him two hundred *dinârs*, two *dinârs* for each blow of the whip.[102] If they had not made this deal, 'Umar would have allowed the man to settle the score.

A man from Egypt came to complain about the son of 'Amr ibn al-'Âṣ, who was 'Umar's governor in Egypt. He said: "O' Commander of the Faithful, here is a man running to you from

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[100] *Al-Wasaṭiyah fee al-Qur'an al-Kareem* by aṣ-Ṣalâbi, p. 96.

[101] *Al-Muwaṭṭa', Kitâb al-Aqḍiyah, Bâb at-Targheeb fee al-Qaḍâ' bi'l-Ḥaqq*, no. 2.

[102] *Aṭ-Ṭabaqât al-Kubra* by Ibn Sa'd, 3/293-294.

oppression." He said, "I will offer you protection." He said, "I raced with the son of 'Amr ibn al-'Âṣ and beat him, and he started hitting me with a whip and saying, 'I am the son of noble people.'" 'Umar wrote to 'Amr (ﷺ), telling him to come (to Madeenah) and bring his son with him. 'Amr came and 'Umar said, "Where is the Egyptian? Take the whip and hit him." So he started hitting him with the whip, and 'Umar was saying, "Hit the son of noble people!" Anas said He hit him, and by Allah we liked that hitting, and he did not stop until we thought that it was enough. Then 'Umar said to the Egyptian, "Hit the bald head of 'Amr." He said, "O' Commander of the Faithful, his son is the one who hit me, and I am satisfied. 'Umar said to 'Amr, "Since when did you enslave people whose mothers bore them free?" He said, "O' Commander of the Faithful, I did not know about (this incident) and he did not come to me."[103]

The state of the Rightly-Guided Caliphs was based on the principle of justice. How well Ibn Taymiyah put it when he said: "Allah causes the just state to prevail even if it is a *kâfir* state, and He does not allow an unjust state to prevail, even if it is Muslim... and by means of justice the best in men is brought out and wealth increases."[104]

The principle of equality was also established by 'Umar in his state. It is regarded as one of the basic principles that are affirmed by Islam. Allah (ﷻ) says:

﴿O' mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honourable of you with Allah is that [believer] who has *at-Taqwa* [i.e. he is one of the *Muttaqoon* [the pious[105]]. Verily,

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[103] *Wasaṭiyah Ahl as-Sunnah bayna al-Firaq* by Muhammad Bâkareem, p. 170. [page 128 note 3]

[104] *As-Siyâsah ash-Shar'iyah*, p. 10.

[105] See *(Qur'an 2: 2)*.

Allah is All-Knowing, All-Aware.﴿ *(Qur'an 49: 13)*

In the Islamic view, all people are equal, rulers and subjects, men and women, Arabs and non-Arabs, white and black. Islam has abolished all differences among people based on race, colour, lineage and class. Rulers and subjects are all equal according to shari'ah.[106] 'Umar's implementation of this principle offers the best testimony of that. There follow some stories which highlight the principle of equality in his state.

During 'Umar's reign a famine struck Madeenah and its environs. When the wind blew, sand would come down from the sky like ashes[107], hence that year became known as 'Âm ar-Ramâdah (the Year of Ashes). 'Umar swore that he would not eat ghee, yogurt or milk until all the people could afford to have these things. Then some ghee and yogurt reached the marketplace and a slave bought them for 'Umar for forty (*dirhams*). He came to 'Umar and said: "O' Commander of the Faithful, Allah has fulfilled your oath and made your reward great. Some ghee and yogurt came to the marketplace and I bought them for you for forty (*dirhams*)." 'Umar said, "You paid too much for them. Give them in charity, for I do not like to eat in an extravagant manner." And 'Umar said, "How can I be concerned for the people if I do not suffer what they suffer?"[108] This was 'Umar's attitude during the year of famine which was known as the Year of Ashes, and his attitude did not change when things became expensive. When the price of ghee grew high, 'Umar ate olive oil and his stomach rumbled. He said: "Rumble as much as you like, for by Allah you will not eat ghee until the people eat it."[109]

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[106] *Fiqh at-Tamkeen fee al-Qur'an al-Kareem*, p. 501.

[107] Ibid.

[108] *Târeekh aṭ-Ṭabari*, 4/98, quoting from *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 1/87.

[109] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 101.

In the view of the early caliphs, the principle of equality was not limited only to dealing with people in the same way, rather it also extended to specific social matters such as the relationship between servant and master. It was narrated that Ibn 'Abbâs said: 'Umar ibn al-Khaṭṭâb came for Ḥajj, and Safwân ibn Umayyah made food for him. They brought a vessel that was carried by four men. The food was placed before the people for them to eat, and the servants remained standing. 'Umar said: "Don't you want them to eat with you?" Sufiyân ibn 'Abdullâh said: "No, by Allah, O' Commander of the Faithful. We want to keep this food for ourselves." 'Umar became very angry and said: "Who are these people who give themselves precedence over their servants? May Allah punish them!" Then he said to the servants: "Sit down and eat." So the servants sat down and ate, and 'Umar did not eat.[110]

Similarly, 'Umar would not eat of food that was not available to all the Muslims, and he used to fast all the time. At the time of the famine, when evening came he would eat bread that had been soaked in oil, until one day some people slaughtered a camel.[111] They gave its meat to the people, and they took the best parts of it — the hump and the liver — and brought that to him. He said: "Where did you get this?" They said, "O' Commander of the Faithful, it is from a camel that we slaughtered today." He said, "Oh no, oh no, what a bad ruler I am if I eat from the best of it and the people eat from the worst of it. Take this away and bring some other food." Some bread and olive oil were brought to him, and he started breaking the bread with his own hands and soaking it in the oil.[112]

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[110] Op. cit.

[111] *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi,* 1/87.

[112] Ibid, p. 188.

'Umar did not apply this principle of equality in Madeenah only, rather he taught it to his agents and governors in other regions, even with regard to matters of food and drink.[113] When 'Utbah ibn Farqad went to Azerbaijan, some *khabeeṣ* was brought to him and when he ate it, he found that it was sweet and good. He said: "By Allah, I will make something like that for the Commander of the Faithful." So he made two huge trays of it for him and sent them on a camel, accompanied by two men, to 'Umar. When they came to 'Umar he opened them and asked: "What is this?" They said, "*Khabeeṣ*." He tasted it and found it was sweet. He said: "Can all the Muslims afford to have this in their homes?" He said: "No." He said: "Then take it back." Then he wrote to him, saying: "It is not by the efforts of your father or mother (that you are living this life). Make sure that the Muslims are eating the same kind of food as you have in your own home."[114]

Another way in which 'Umar put the principle of equality into practice was when some wealth came to him and he started sharing it out among the people, and they crowded around him. Sa'd ibn Abi Waqqâṣ came, pushing and shoving until he reached 'Umar, who struck him with a stick and said: "You have come showing no respect to the authority of Allah on earth (i.e., the caliph), and I would like to teach you that the authority of Allah has no respect for you."[115] If we remember that Sa'd was one of the ten who were given glad tidings of Paradise and that he was the conqueror of Iraq and the capital of Chosroes, and one of the six who were appointed by 'Umar for *shoora* (when he was stabbed), and that the Messenger of Allah (ﷺ) died when he was pleased with him, and that he was known as the Knight of Islam, we will realize how committed 'Umar was to

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[113] *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 188.

[114] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 147.

[115] *Al-Khulafa' ar-Râshidoon*, p. 243.

implementing the principle of equality.[116]

Ibn al-Jawzi narrated that 'Amr ibn al-'Âṣ carried out the punishment for wine-drinking on 'Abdur-Raḥmân ibn 'Umar ibn al-Khaṭṭâb when he was his governor in Egypt. Such punishments were usually carried out in the public square of the city, so as to teach a lesson to the masses, but 'Amr carried out the punishment on the son of the caliph in his house. When news of that reached 'Umar, he wrote to 'Amr ibn al-'Âṣ saying: "From the slave of Allah 'Umar the Commander of the Faithful to the sinner (*al-'âṣi*) Ibn al-'Âṣ. I am amazed at you, O' son of al-'Âṣ and your audacity towards me in doing something other than what I told you to do. I gave you precedence over the people of Badr who are better than you, and I chose you so that you would do what I tell you to do. But you have betrayed me and sunk to this low level. I think that the only thing I can do is to dismiss you in the most humiliating manner. You beat 'Abdur-Raḥmân in your house, and you know that this is against my instructions. 'Abdur-Raḥmân is just one of your people, so do with him what you would do with any other Muslim. But probably you thought that he is the son of the caliph, when you know that I accept no compromise for any of the people when it comes to carrying out the *ḥadd* punishments prescribed by Allah. When this letter of mine reaches you, send him wearing a cloak on a mount so that he will realize how bad his action was."[117] He was brought to Madeenah and the *ḥadd* punishment was carried out publicly. This was narrated by Ibn Sa'd and referred to by Ibn az-Zubayr, and it was narrated by 'Abdur-Razzâq in a lengthy report with a *ṣaheeḥ* isnad from Ibn 'Umar.[118] Here we can see equality before shari'ah in the clearest

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[116] *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 1/88.

[117] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 235.

[118] *Al-Khilâfah ar-Râshidah wa ad-Dawlah al-Umawiyah* by Yaḥya al-Yaḥya, p. 345.

way. The accused was the son of the caliph, but the governor did not exempt him from punishment. However 'Umar noticed that his son enjoyed some special treatment, which upset him greatly, so he punished his governor — the conqueror of Egypt — severely and carried out on his son the punishment that he deserved, out of keenness to carry out the *ḥadd* punishment prescribed by Allah and to discipline his son and straighten him out. If this was the way in which he dealt with the closest of people to him, how do you think he dealt with others?[119]

Another of the historical examples which authors quote as proof of 'Umar's uncompromising application of the principle of equality is the story of what 'Umar did with Jabalah ibn al-Ayham. Jabalah was the last of the leaders of Ghassân who had been appointed by Heraclius. The tribes of Ghassân lived in Syria under Byzantine rule, and the Byzantines used to incite them continually to attack Arabia, especially after the emergence of Islam. When the Islamic conquests spread and the Muslims won one victory after another against the Byzantines, the Arab tribes in Syria started to declare their Islam and the Ghassanid leader decided that he would enter Islam too. So he became Muslim and his people became Muslim with him. He wrote to 'Umar, asking him for permission to come to Madeenah, and 'Umar rejoiced at his becoming Muslim and his impending visit. So he came to Madeenah and stayed there for a while, and 'Umar welcomed him and took care of him.

Then he decided to go for Ḥajj, and whilst he was circumambulating the Ka'bah, a man from Banu Fazârah stepped on his *izâr* and it fell off. The Ghassanid leader — who was still new in Islam — became angry and struck the man harshly, breaking his nose. The Fazâri man hastened to the caliph to complain to him about

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[119] *Fann al-Ḥukm fee al-Islâm*, by Dr. Muṣṭafa Abu Zayd, Pp. 475, 476.

what had happened to him. 'Umar sent for Jabalah and asked him about the incident, and he confirmed (what the Fazâri man had said). 'Umar said to him: "What made you wrong your brother and break his nose?" He replied: "You are being too kind to this Bedouin. Were it not for the sanctity of the House I would have chopped off his head." 'Umar said: "You have admitted it. Either you will settle the matter with the man or I will carry out *qaṣâṣ* against you." Jabalah ibn al-Ayham was astounded by what was happening and he said: "How can this be when he is a commoner and I am a king?"

'Umar said: "Islam has made you equal."

The Ghassanid leader said: "I had thought, O' Commander of the Faithful, that I would be in a better position in Islam than I was in the *Jâhiliyah*."

'Umar said: "Stop arguing. If you do not settle matters with this man, I will carry out *qaṣâṣ* against you."

Jabalah said: "Then I will become a Christian."

'Umar said: "If you become a Christian I will strike your neck (cut off your head), because you have become Muslim, and if you apostatize I will execute you."[120]

At that point Jabalah realized that that was no point in arguing and that arguing with 'Umar was to no avail. So he asked him to give him time to think about the matter, and 'Umar gave him permission to leave. Jabalah thought about it and reached a decision which was not a good one. He preferred to leave Makkah, with his people, under cover of darkness, and flee to Constantinople, and he arrived there as a Christian. He later regretted this decision deeply, and mentioned that in verses of poetry which are still extant.

In this story we see 'Umar's keenness for the principle of equality

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[120] *Ibn Khaldoon*, 2/281, quoting from *Nidhâm al-Ḥukm* by al-Qâsimi, 1/90.

before shari'ah. Islam had made the king and the commoner equal, and this equality had to become something that was implemented in real life and not just words written on a page or an empty slogan recited on people's lips.[121]

'Umar (ﷺ) put into effect the principle of equality that had been brought by the shari'ah (Islamic law) of the Lord of the Worlds, and made it a living reality that was experienced by the people. That was not affected by paternal bonds, noble titles or differences in religion, nor did he try to appease conquering warriors. This great principle became a living reality that was felt by rulers and subjects alike, and those who were wronged and oppressed benefited from it.[122] The application of the principle of equality had an effect on society at the time of the four caliphs, which was manifested in the souls of that generation, who shunned traditional tribalism and claims to superiority and leadership on the basis of lineage. Differences based on lineage were eliminated, no man of noble birth thought he could take advantage of a man of lowly birth and no weak man despaired of claiming his rights. All were equal in rights and duties. The principle of equality in the society at the time of the four caliphs was a new light which Islam spread throughout the Muslim society and this principle played a strong role in the formation of that society.[123]

1.7. Freedom

The principle of freedom is one of the basic principles on which the rule of the Rightly-Guided Caliphs was based. This

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[121] *Fann al-Ḥukm fee al-Islâm*, Pp. 477, 478.

[122] Ibid, p. 478.

[123] *Al-Mujtama' al-Islâmi Da'â'imuhu wa Adâbuhu* by Dr. Muhammad Abu 'Ajwah, p. 165.

principle implies the preservation of public freedom for all people within the limits set out by shari'ah and in such a way that it does not contradict shari'ah. The Islamic call for the freedom of all people was a far-reaching call, the like of which is seldom found in history. The first call that was made in this field was the call made in many verses, inviting people to affirm the Oneness of Allah and to devote their worship to Him alone, to the exclusion of any other beings or creatures. This call to *Tawḥeed* encompasses all the meanings of freedom and independence for mankind. Sometimes it is manifested in positive actions, such as enjoining what is good and forbidding what is evil, and sometimes it is manifested in negative actions, such as refraining from forcing people to enter Islam. In many cases this meaning is combined with those of mercy, justice, *shoora* and equality, because none of these principles which are advocated by Islam can be established and be implemented except by means of freedom.

At the time of the Rightly Guided Caliphs in particular, the principle of freedom effectively contributed to the spread of Islam, making it easy for the Muslims to conquer other lands and expand the boundaries of their state, because Islam honoured man and guaranteed his freedom in the broadest sense. In contrast, the other political systems that were prevalent at that time, in the Byzantine and Persian states, were oppressive totalitarian regimes under which the people, especially political opponents and religious minorities, suffered the worst type of persecution and oppression. For example, the Byzantine state tried to force those who followed the Jacobite teachings, especially in Egypt and Syria, to follow the Melchite teachings (the official religion). Dissidents were frequently seized and burned alive. The tyrants forced them to believe in what had been approved by the Macedonian council; otherwise they would be placed in sacks full of sand and thrown into the depths of the sea.

Similarly the Persian state, at various times in its history, persecuted the followers of divinely-revealed religions, especially Christians, after fighting between Persia and Byzantium intensified. But in Islam at the time of the Messenger of Allah (ﷺ) and the Rightly-Guided Caliphs, the kind of freedom which is known nowadays was known and was protected.[124] There follow some examples of freedom at the time of 'Umar (ﷺ).

1.7.1. Freedom of religious belief

Islam does not force anyone to accept it, rather it calls them to study and ponder the creation of Allah and this religion. And it commands its followers to debate with people in the way that is better. Allah (ﷻ) says:

﴾There is no compulsion in religion...﴿ *(Qur'an 2: 256)*

﴾But if they turn away [O' Muhammad from the Islamic Monotheism, which you have brought to them]. We have not sent you [O' Muhammad] as a *Ḥafeedh* [watcher, protector] over them [i.e. to take care of their deeds and to recompense them]. Your duty is to convey [the Message]...﴿ *(Qur'an 42: 48)*

﴾Invite [mankind, O' Muhammad] to the way of your Lord [i.e. Islam] with wisdom [i.e. with the Divine Revelation and the Qur'an] and fair preaching, and argue with them in a way that is better. Truly, your Lord knows best who has gone astray from His path, and He is the Best Aware of those who are guided.﴿ *(Qur'an 16: 125)*

﴾And argue not with the people of the Scripture [Jews and Christians], unless it be in [a way] that is better [with good words and in good manner, inviting them to Islamic Monotheism with His

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[124] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen* by Ḥamad aṣ-Ṣamad, Pp. 157, 158.

Verses], except with such of them as do wrong; and say [to them], 'We believe in that which has been revealed to us and revealed to you; our *Ilâh* [God] and your *Ilâh* [God] is One [i.e. Allah], and to Him we have submitted [as Muslims].'﴾ *(Qur'an 29: 46)*

And there are many similar verses. Hence we find that in his state, 'Umar was keen to protect religious freedom. We may note that in this matter 'Umar was following the guidance of the Prophet (ﷺ) and the first Rightly-Guided Caliph Abu Bakr. He allowed the People of the Book to practise their religion, he took the *jizyah* from them and he drew up treaties with them as will be discussed below. Their places of worship were not destroyed, rather they were left alone, because Allah (ﷻ) says:

﴿... For had it not been that Allah checks one set of people by means of another, monasteries, churches, synagogues, and mosques, wherein the Name of Allah is mentioned much would surely, have been pulled down...﴾ *(Qur'an 22: 40)*

The conquests which took place at the time of 'Umar, carried out by the *Ṣaḥâbah*, bear witness to the respect that Islam showed to other religions and the keenness of the Islamic leadership to avoid forcing anyone to enter Islam. One day an old Christian woman came to 'Umar himself concerning some need of hers. He said to her: "Become Muslim and you will be safe, for Allah sent Muhammad with the truth." She said, "I am an old woman and death is very close to me." So he dealt with her need, but he was worried that what he had done might imply some exploitation of her need in an attempt to force her to become Muslim. So he prayed to Allah for forgiveness for what he had done, and said, "O' Allah, I was trying to guide her, not trying to force her."[125]

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[125] *Mu'âmalah Ghayr al-Muslimeen fee al-Mujtama' al-Islâmi* by Edward Ghali, p. 41.

'Umar had a Christian slave whose name was Ashaqq. He said: "I was a Christian slave belonging to 'Umar." He ('Umar) said: "Become Muslim so that we may benefit from your help with regard to some of the Muslims' affairs, because we should not seek help in dealing with their affairs from someone who is not one of them." But I refused, and he said, ﴾There is no compulsion in religion﴿ *(Qur'an 2: 256)*. When 'Umar was dying, he set me free and said, "Go wherever you want."[126]

The People of the Book used to practise their religious rituals and perform their acts of worship in their places of worship and their houses, and no one prevented them from doing that, because Islamic shari'ah gives them the right to freedom of belief. Aṭ-Ṭabari tells us of the treaty which 'Umar ibn al-Khaṭṭâb (ﷺ) drew up with the people of Aeelia' (Jerusalem), in which he stated that he was giving security to the people of Aeelia' and that their lives, wealth, crosses and churches would be protected.[127]

'Umar's governor in Egypt, 'Amr ibn al-'Âṣ, drew up a treaty with the people of Egypt in which it said: "In the Name of Allah, the Most Gracious, the Most Merciful. This is what 'Amr ibn al-'Âṣ gives to the people of Egypt of security, protecting their lives, their religion, their wealth, their churches, their crosses, their land and their sea." He confirmed this treaty by saying: "The one who signs it is bound before Allah and is under the protection of His Messenger, the caliph and the believers."[128]

The *fuqaha'*[129] are unanimously agreed that *ahl adh-dhimmah* have the right to perform their religious rituals and that they should

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126 *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 1/58.

127 *Târeekh aṭ-Ṭabari*, 4/158.

128 *Al-Bidâyah wa an-Nihâyah*, 7/98.

129 *As-Sulṭah at-Tanfeedhiyah* by Dr. Muhammad ad-Dahlawi, 2/725.

not be prevented from doing that unless they do it openly. If they want to practise their religious rituals openly and in public, such as bringing out their crosses, then the Muslims think that they should not be allowed to do that in the Muslim regions, but they should not be prevented from doing that in their own towns and villages.[130]

Shaykh al-Ghazâli says concerning Islam's guarantee of freedom of belief that the religious freedom which Islam guarantees to people is something the like of which was not known on any of the five continents. It never happened that one religion gained all power and gave other religions all the means of surviving and flourishing, as Islam did.[131]

'Umar was keen to implement the principle of religious freedom in society and he summed up his policy towards the Jews and Christians by saying: "We gave them a treaty stating that we would leave them alone with regard to their churches, to say whatever they want in them, and that we would not burden them with more than they can bear, and that if their enemies want to harm them we will fight to defend them, and that we will not interfere between them and their (religious) rulings except if they come to us, asking us to judge on the basis of our rulings; and that if they keep their affairs to themselves, we will not bother them."[132]

It was proven that 'Umar was very tolerant towards *ahl adh-dhimmah*, to such an extent that he would let them off paying the *jizyah* if they were unable to do so. In *Kitâb al-Amwâl*, Abu 'Ubayd states that 'Umar passed by the door of some people and saw there an old blind man who was begging. He tapped him on the shoulder and

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[130] Op. cit.

[131] *Ḥuqooq al-Insân bayna Ta'âleem al-Islâm wa ai'lân al-Umam al-Muttaḥidah*, p. 111.

[132] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen*, p. 117.

said: "From which of the people of the Book are you?" He said: "(I am) a Jew." He said: "What forced you to do what I see (i.e., begging)?" He said: "I am begging because of the *jizyah* and needs of the old age." 'Umar took him by the hand and took him to his house, where he gave him something from his house. Then he sent for the keeper of the *bayt al-mâl* and said: "Check him and others like him, for by Allah we have not been fair to him if we benefited from him (from his *jizyah*) when he was young and abandon him when he is old." And he let him and others like him off from paying the *jizyah*.[133] And he wrote to his agents issuing this command to all of them.[134]

These actions point to the justice of Islam and 'Umar's keenness to establish his state on a basis of justice and kindness to its people, even if they were not Muslim. Religious freedom remained a prominent feature of the era of the Rightly-Guided Caliphs, guaranteed by the state and protected by the rulings of shari'ah.

1.7.2. Freedom of movement

'Umar was very keen to allow this freedom, but he limited it in some exceptional cases as dictated by need. Those exceptional cases, in which he limited the freedom of movement and freedom to choose where one would live, were very few. It is sufficient for us to refer to two of them because of their importance:

1. 'Umar kept the senior *Ṣaḥâbah* in Madeenah and did not allow them to go to the conquered lands except with his permission or for some official purpose, such as when he appointed some of them as his governors or leaders of his armies. He did that so that he would be

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[133] *Al-Amwâl* by Abu 'Ubayd, p. 57; *Aḥkâm Ahl adh-Dhimmah* by Ibn al-Qayyim, 1/38.

[134] *Naṣab ar-Râyah* by az-Zayla'i, 7/453.

able to consult them and refer to them concerning problems that he came across in ruling. At the same time, this prevented any *fitnah* (tribulation) or division arising among the Muslims which might have happened if the *Ṣaḥâbah* had gone out to the other regions and settled there.[135] Based on his political wisdom and his precise understanding of human nature and psychology, he kept the senior *Ṣaḥâbah* in Madeenah, and said: "What I fear the most for this ummah is your spreading out into other lands."[136] He believed that if he was lenient in this matter, that would result in tribulation in the conquered lands, as the people would rally around the prominent personalities and there would be a lot of confusion about them. There would be many leaders and figureheads, and chaos would ensue.[137] 'Umar feared the prospect of having multiple centres of political and religious power within the Islamic state, wherein each *Ṣaḥâbi* might acquire an aura of respect through which his opinion would reach the level of a decree issued by the public authorities. So in order to prevent the development of multiple centres of power and the fragmentation of the state's authority, 'Umar thought that he should keep the senior *Ṣaḥâbah* in Madeenah, where they could take part in decision-making and avoid the chaos of individual ijtihad. Were it not for this *shar'i* basis, the decisions issued by 'Umar would have been to no avail and they would not have been binding, because they would lack any *shar'i* basis of justification, because the disposal of the ummah's affairs should be connected to its interests.[138]

2. The second case arose when 'Umar commanded that the Christians of Najrân and the Jews of Khaybar be expelled from the Arabian heartland to Iraq and Syria. The reason for that was that the Jews of

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135 *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen*, p. 160.

136 *Al-Murtaḍi Seerat Ameer al-Mu'mineen* by Abu al-Ḥasan an-Nadawi, p. 109.

137 Ibid.

138 *Al-Quyood al-Wâridah 'ala Sulṭat ad-Dawlah*, p. 151.

Khaybar and the Christians of Najrân did not adhere to the conditions of the treaties that they had agreed with the Messenger of Allah (ﷺ) and renewed with Abu Bakr. The fortresses of the Jews of Khaybar and the Christians of Najrân had become centres of plotting and conspiracy, so 'Umar had no choice but to remove these devilish strongholds and weaken their power. The rest of the Jews and Christians continued to live as individuals in the society of Madeenah, enjoying all their rights. Al-Bayhaqi narrated in his *Sunan* and 'Abdur-Razzâq ibn Hamâm aṣ-Ṣan'âni narrated in his *Muṣannaf* from Ibn al-Musayyib and Ibn Shihâb that the Messenger of Allah (ﷺ) said: «"No two religions should co-exist in the Arabian Peninsula."» Mâlik said that Ibn Shihâb said: 'Umar ibn al-Khaṭṭâb examined the matter until he found the answer in a report narrated from the Messenger of Allah (ﷺ), who said: «"No two religions should co-exist in the Arabian Peninsula."» So he expelled the Jews of Khaybar. Mâlik said: 'Umar ibn al-Khaṭṭâb (ﷺ) expelled the Jews of Najrân and Fadak.[139]

For the *Ṣaḥâbah*, the Prophethood of the Prophet (ﷺ) was something definite. But neither the Jews nor the Christians of Najrân could adhere to their treaties with the Muslims because of the severity of their enmity, hatred and envy of Islam and the Muslims. The reason why the Jews of Khaybar were expelled was narrated by Ibn 'Umar (ﷺ) who said: "When the people of Khaybar attacked 'Abdullâh ibn 'Umar, 'Umar stood up and addressed (the people) and said, 'The Messenger of Allah (ﷺ) made a deal with the Jews of Khaybar, allowing them to keep their wealth. He said, 'We leave (this land) to you so long as Allah wills.' 'Abdullâh ibn 'Umar went out to his property there and was attacked at night, and his arms and legs were dislocated. We have no other enemies there; they are our enemies and

[139] *As-Sunan al-Kubra* by al-Bayhaqi, 9/208; *Muṣannaf 'Abdur-Razzâq*, 6/53.

we are accusing them, and I am thinking of expelling them.' When 'Umar resolved to do that, someone from Banu al-Ḥaqeeq came to him and said, 'O' Commander of the Faithful, will you expel us when Muhammad (ﷺ) let us stay and made a deal with us with regard to the land there, and stipulated conditions for that?' 'Umar said, 'Do you think that I have forgotten what the Messenger of Allah (ﷺ) said, 'What about when you are expelled from Khaybar, riding your strong camel, night after night'?' He said, 'That was a joke on the part of Abu al-Qâsim.' He ('Umar) said, 'You are lying, O' enemy of Allah.' So 'Umar expelled them, and gave them the price of the fruits they had there in money and camels and other goods such as saddles and ropes and so on.[140] The Jews had betrayed and broken the treaty, so it was natural that they should be expelled from the Arabian Peninsula, in fulfillment of the instructions of the Messenger of Allah (ﷺ). So 'Umar expelled them to Tayma' and Jericho.

As for the Christians of Najrân, they did not adhere to the terms of their treaty which they had agreed with the Messenger of Allah (ﷺ) and renewed with Abu Bakr. They broke some of those terms and consumed *riba* and dealt in it, so 'Umar expelled them from Najrân to Iraq and wrote to them, saying: "If any of these people come to the governors of Syria or Iraq, let him give them barren land. Whatever they produce is theirs for the sake of Allah, and is the produce of their land." So they came to Iraq and settled in al-Najrâniyah, which is a village near Koofah.[141] Abu Yoosuf narrated that 'Umar was worried that the Christians might try to harm the Muslims.[142] Hence 'Umar's way of thinking becomes clear, as he expelled them after other reasons emerged in addition to the instructions of the Messenger of Allah (ﷺ). We can clearly see

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[140] Bukhari, *Kitâb ash-Shuroot*, hadith no. 2730.

[141] *Al-Amwâl* by Abu 'Ubayd, p. 245.

[142] *Al-Khirâj* by Abu Yoosuf, p. 79.

'Umar's insight in directing these heavy blows against the strongholds of the Jews in Khaybar and the Christians in Najrân, after he found the justification he needed to expel them from the Arabian Peninsula without being unjust or unfair. Hence he prevented the centres of plotting from having the opportunity to set out plans to destroy the Islamic state.

1.7.3. The right to security, the sanctity of the home, and freedom of ownership

Islam affirms the right to security in many verses of the Qur'an and *ahâdeeth* of the Prophet (ﷺ). Allah (ﷻ) says:

﴿... Let there be no transgression except against *adh-Dhâlimoon* [the polytheists, and wrong-doers].﴾ *(Qur'an 2: 193)*

﴿... Whoever transgresses the prohibition against you, you transgress likewise against him...﴾ *(Qur'an 2: 194)*

Islam also affirms the right to life, which is broader in scope than the right to security, because the latter refers to a negative action on the part of the state, namely refraining from any aggressive or threatening act, whereas the right to life includes, on top of that, a positive action, namely protection of people and their blood from any aggression or threat, and making this protection a common responsibility which is to be shouldered by all the people, because unlawful aggression against one of them is like aggression against all of them.[143] Allah (ﷻ) says:

﴿Because of that, We ordained for the Children of Israel that if anyone killed a person not in retaliation of murder, or [and] to spread mischief in the land — it would be as if he killed all mankind, and if

[143] *Nidhâm al-Hukm fee 'Ahd ar-Râshideen*, p. 163.

anyone saved a life, it would be as if he saved the life of all mankind...❳ *(Qur'an 5: 32)*

On the basis of the words of the Qur'an and the actions of the Prophet (ﷺ), 'Umar during his caliphate guaranteed the individual's right to security and to life, and he strove hard to maintain these rights and protect them against any mischief. 'Umar (رضي الله عنه) used to say: "I have not appointed my governors over you to whip you, slander your honour and seize your wealth, rather I have appointed them to teach you the Book of your Lord and the Sunnah of your Prophet. Whoever is wronged by his governor, let him refer the matter to me so that I may settle it."[144]

It was also narrated that 'Umar said: "There can be no certainty that a man will not confess (to a crime) if he is starved, frightened and detained."[145] These words of 'Umar's indicate that it is not permissible to obtain a confession from a suspect under pressure or by means of threats, whether the means used are physical, such as depriving him of his stipend or confiscating his wealth, or psychological, such as resorting to threats and scaring him with all kinds of punishment.

With regard to the sanctity of the home, Allah has forbidden us to enter houses or dwellings without the agreement of their occupants or in a manner other than those which are customary. Allah (ﷻ) says concerning this matter:

❴O' you who believe! Enter not houses other than your own, until you have asked permission and greeted those in them; that is better for you, in order that you may remember. And if you find no one therein, still, enter not until permission has been given. And if you are

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[144] Op. cit., p. 164.
[145] Ibid, p. 165.

asked to go back, go back, for it is purer for you...﴿

(Qur'an 24: 27-28)

And He also says:

﴾... Enter houses through their proper doors...﴿ *(Qur'an 2: 189)*

And:

﴾... And spy not...﴿ *(Qur'an 49: 12)*

The sanctity of the home was guaranteed and protected at the time of 'Umar (ﷺ) and the time of the Rightly-Guided Caliphs.[146]

Freedom of ownership was also guaranteed and protected at the time of the Rightly-Guided Caliphs, to the fullest extent affirmed by Islamic shari'ah. When 'Umar found himself compelled, for political and strategic reasons, to expel the Christians of Najrân and the Jews of Khaybar from the heart of the Arabian Peninsula to Iraq and Syria, he ordered that they be given land that was like their old land, in the places to which they were moved, out of respect for and in affirmation of the right to individual ownership which is guaranteed by Islam to *ahl adh-dhimmah* just as it is guaranteed to the Muslims.[147]

When 'Umar found himself compelled to take possession of some houses in order to expand *al-Masjid al-Ḥarâm* in Makkah, the fair compensation that he gave to their owners was no less than an acknowledgement on his part of the individual right of possession, which means that it is not permissible to confiscate property even in cases of necessity without first giving fair compensation to the owners.[148]

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[146] *Nidhâm al-Ḥukm fee 'Ahd ar-Râshideen*, p. 168.

[147] Ibid, p. 189.

[148] Ibid, p. 190.

At the time of the Rightly-Guided Caliphs, freedom of ownership did not exist in an absolute sense, rather it was limited by the rules of shari'ah and the common interest. It was narrated that Bilâl ibn al-Ḥârith al-Muzani came to the Messenger of Allah (ﷺ) and asked him to allocate some land to him, and he gave him a vast area of land. When the caliphate passed to 'Umar, he said to him: "O' Bilâl, you asked the Messenger of Allah (ﷺ) to allocate a vast piece of land to you, and he gave it to you, because the Messenger of Allah (ﷺ) could not refuse anyone who asked him for something. But you do not have the means to make full use of what you have in your possession." He said, "Yes (that is so)." 'Umar said, "So look at what you are able to make good use of, and keep it, and what you cannot make full use of, give it to us so that we may share it out among the Muslims." He said, "By Allah, I will not do that, because it was given to me by the Messenger of Allah (ﷺ)." 'Umar said, "By Allah, you will certainly do it." And 'Umar took that which he was not able to make good use of and shared it out among the Muslims.[149]

This indicates that individual ownership is strongly connected to the public interest. If the owner is able to look after the property and take good care of it as a trustee, then no one has the right to dispute his ownership. But if that is not the case, then the ruler has the right to intervene in the event of negligence.[150]

1.7.4. Freedom of opinion

Islam fully guarantees the individual the freedom of opinion, and this right was guaranteed and protected during the time of the Rightly-Guided Caliphs. 'Umar used to leave the people to express

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[149] *Al-Mughni*, 5/579, *Nidhâm al-Arḍ*, Muhammad Abu Yaḥya, p. 207.

[150] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen* by Ḥamad aṣ-Ṣamad, p. 192.

their opinions and he gave the opportunity to reach their own conclusions in matters concerning which there was no text.

It was narrated that 'Umar met a man and said: "What did you do?' He said, " 'Ali and Zayd passed such and such a judgement." He said, "If it were me, I would have ruled in such and such a manner." He said, "What kept you from doing that when you are the ruler?" He said, "If there was clear evidence concerning your issue in the Book of Allah or in the Sunnah of His Prophet (ﷺ), I would have overridden their judgement, but my judgement is based on my personal opinion, and everyone has the right to express his own opinion."[151]

Similarly, 'Umar let the *Ṣaḥâbah* express their own opinions concerning matters that are subject to ijtihad, and he did not prevent them from reaching their own conclusions or force them to follow a specific view. Criticizing and advising the ruler, at the time of 'Umar and the Rightly-Guided Caliphs, was something that was open to all.

'Umar stood up and delivered a speech in which he said: "O' people, whoever among you sees any crookedness in me, let him straighten it." A man stood up and said: "By Allah, if we see any crookedness in you, we will straighten it with our swords." 'Umar said: "Praise be to Allah Who has put in this ummah people who will straighten the crookedness of 'Umar with their swords."[152]

It is narrated that 'Umar said, in the speech he gave when he assumed the position of caliph: "Help me against (the evil of) myself by enjoining what is good and forbidding what is evil, and by offering me advice."[153]

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[151] *I'lâm al-Muwaqqi'een*, 1/65.

[152] *Akhbâr 'Umar*, Pp. 331, 332, quoting from *ar-Riyâḍ an-Naḍrah*.

[153] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen*, p. 197.

'Umar regarded the practice of constructive political freedom (sincere advice) as obligatory upon the people, and as a right to which the ruler was entitled, as he said: "O' people, we have rights over you: sincerity towards us in our absence and help in doing good."[154]

And he believed that any individual member of the ummah had the right to watch him and straighten any crookedness, even if that was done by the sword, if he deviated from the right path. He said: "O' people, whoever among you sees any crookedness in me, let him straighten it."[155] And he used to say: "The most beloved of people to me is the one who points out my faults."[156]

And he said: "I fear that I may make a mistake and no one among you will correct me out of respect for me."[157]

One day a man came to him and said to him — in the presence of witnesses — "Fear Allah, O' 'Umar!" Some of those present became angry and wanted to silence him, but 'Umar said to them: "There is no goodness in you if you do not say it and there is no goodness in us if we do not listen."[158]

One day he stood and addressed the people, and hardly had he said: "O' people, listen and obey," but one of them interrupted him and said, "We will not listen and obey, O' 'Umar." 'Umar calmly asked, "Why not, O' slave of Allah?" He said, "Because each one of us has been given a single shirt from the fabric to cover his *'awrah.*" 'Umar said to him, "Wait a minute." Then he called his son 'Abdullâh ibn 'Umar, and 'Abdullâh explained to him that he had

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[154] *Nidhâm al-Ḥukm fee 'Ahd al-Khulafa' ar-Râshideen,* p. 197.

[155] Ibid.

[156] Ibid, p. 198; *ash-Shaykhân Abu Bakr wa 'Umar min Riwâyat al-Balâdhuri,* p. 231.

[157] Ibid, p. 198.

[158] Ibid, p. 200.

given his father his own share of the fabric to make his garment complete, and the *Ṣaḥâbah* were convinced by that. A man said, with humility and respect: "Now we will listen and obey, O' *Ameer al-Mu'mineen*."[159]

One day he delivered a *khuṭbah* and said: "Do not give more than forty *uqiyahs* in dowries to women, even if she is the daughter of Dhu al-Qiṣṣah — i.e., Yazeed ibn al-Ḥuṣayn. Whoever gives more than that, I will seize the extra amount and put it in the *bayt al-mâl*." A woman objected to that and said, "You do not have the right to do that!" He asked, "Why not?" She said, "Because Allah, the Exalted, Almighty says:

﴾... And [if] you have given one of them a *Qinṭâr* [of gold, i.e. a great amount as *Mahr*], take not the least bit of it back; would you take it wrongfully without a right and [with] a manifest sin?﴿

(Qur'an 4: 20)."

'Umar said: "A woman is right and a man is wrong."[160] According to another report, he said: "O' Allah, forgive me! Everyone has more knowledge of religion than 'Umar." Then he went back and ascended the *minbar* and said: "O' people, I used to forbid you to give women more than four hundred *dirhams* in their dowries, but (now) whatever anyone wants to give of his wealth of his own accord, let him do so."[161]

However, freedom of opinion is not absolute under Islamic shari'ah, and people do not have the right to express everything they

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[159] *'Uyoon al-Akhbâr*, 1/55, quoting from *Mahḍ aṣ-Ṣawâb*, 2/579.

[160] *Tafseer Ibn Katheer*, 2/213. It is attributed to az-Zubayr ibn Bakkâr but there are breaks in the chain of transmission. It was also narrated by Abu Ḥâtim in his *Musnad* and by al-Bayhaqi in *as-Sunan*, where he says that it is *musral jayid.*

[161] Abu Ya'lâ said: its isnad is *jayyid*. *Majma' az-Zawâ'id*, 4/283.

wish. Rather this freedom is limited by the need not to harm others by expressing one's opinion, whether that harm affects everyone or a particular individual. Among the things that 'Umar prohibited and restricted are the following:

Misguided and misleading opinions concerning Islam and following ambiguous issues

Under this heading comes the story of the Nabaṭaean in Syria who denied the divine decree (*al-qadr*).[162] He had objected to 'Umar (ﷺ) when he was delivering a speech in Syria. When 'Umar said: "Whomsoever Allah sends astray none can guide," the Nabaṭaean objected and denied the divine decree, saying: "Allah does not send anyone astray." 'Umar threatened to execute him if he expressed his *qadari* views openly again.[163]

It was narrated that as-Sâ'ib ibn Yazeed said: "A man came to 'Umar ibn al-Khaṭṭâb (ﷺ) and said, 'O' *Ameer al-Mu'mineen,*

﴾By [the winds] that scatter dust; And [the clouds] that bear heavy weight of water.﴿ *(Qur'an 51 :1-2)*?"

'Umar (may Allah be pleased with him) asked, "Are you of that type?" and he stood up, rolling up his sleeves, and he continued to whip him until his turban fell off. He said, "By the One in Whose hand is the soul of 'Umar, if I had found you shaven I would have beaten your head. Put his clothes back on him, sit him on the hump of a camel and take him back to his own land. Then let him stand up and address the people and say, 'Ṣabeegh[164] sought knowledge but he did

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[162] Namely Qusṭanṭeen al-Jâthaleeq on the way to Syria.

[163] *Al-Ahwa' al-Firaq wa al-Bada' wa Mawqif as-Salaf Minha*, by Dr. Nâṣir al-'Aql, p. 223.

[164] His name was Ṣabeegh ibn 'Aseel al-Ḥandhali, who asked 'Umar about the ambiguous verses in the Qur'an, and 'Umar accused him of having views=

not get it right.'" And he continued to be humiliated among his people until he died.[165]

Slandering people's honour on the basis of freedom of speech

'Umar imprisoned al-Ḥuṭay'ah[166] because he slandered az-Zabarqân ibn Badr[167] in verse when he said:

"Do not travel around in order to achieve prominence.
Stay where you are and you will be fed and clothed."[168]

This was likening him to women who are given food, drink and clothing.[169] 'Umar threatened to cut out al-Ḥuṭay'ah's tongue if he persisted in slandering the Muslims and impugning their honour. Al-Ḥuṭay'ah wrote poetry whilst he was in prison, reminding 'Umar of his children who had no one to look after them but him, so 'Umar felt sorry for him and let him go, after taking a promise from him not to slander anyone among the Muslims.[170] And it was narrated that 'Umar purchased the honour of the Muslims from al-Ḥuṭay'ah for the sum of three thousand *dirhams*.[171]

=similar to those of the *Khawârij*.

165 *Sharḥ Uṣool I'tiqâd Ahl as-Sunnah* by al-Lâlkâ'i, 30/634, 635.

166 His full name was Jarwal ibn Mâlik ibn Jarwal, and he was known as al-Ḥuṭay'ah because of his short stature.

167 Az-Zabarqân ibn Badr at-Tameemi was a *Ṣaḥâbi* whom the Messenger of Allah (Blessings and peace be upon him) appointed in charge of the zakah of his people.

168 *As-Sulṭah at-Tanfeedhiyah*, 2/745.

169 *Tafseer al-Qurṭubi*, 12/173, 174.

170 *Ash-Shi'r wa ash-Shu'ara'* by Ibn Qutaybah, 1/327; *'Umar ibn al-Khaṭṭâb*, by Dr. Aḥmad Abu an-Naṣr, p. 223.

171 *Aṣḥâb ar-Rasool*, 1/110, by Mahmoud al-Misri; *Mahḍ aṣ-Ṣawâb*, 1/376.

1.7.5. 'Umar's view on marriage to Jewish and Christian women

When 'Umar came to know that Ḥudhayfah ibn al-Yamân had married a Jewish woman, he wrote to him, telling him to let her go. Ḥudhayfah wrote back to him saying: "Are you claiming that it is *ḥarâm* so that I should let her go?" He said, "I do not say that it is *ḥarâm*, but I fear that you (plural) may marry the immoral ones among them." According to another report he said, "I fear that you will neglect Muslim women and marry immoral women."[172]

Abu Zuhrah said: "We must state here that it is preferable for a Muslim not to marry anyone but a Muslim woman, so that there will be perfect harmony between them in all ways. 'Umar (ﷺ) forbade marriage to women of the people of the Book (i.e., Jewish and Christian women) except in cases where it served a higher purpose such as forging political ties by means of which he hoped to bring people together and open their hearts towards Islam, and so on."[173]

Allah tells us in His Book that marriage to a believing woman, even if she is a slave, is better than marriage to a *mushrik* woman, even if she is free. Allah (ﷻ) says:

﴾And do not marry *al-Mushrikât* [idolatresses] till they believe [worship Allah Alone]. And indeed a slave woman who believes is better than a [free] *Mushrikah* [idolatress], even though she pleases you. And give not [your daughters] in marriage to *al-Mushrikoon* till they believe [in Allah Alone] and verily, a believing slave is better than a [free] *Mushrik* [idolater], even though he pleases you. Those [*al-Mushrikoon*] invite you to the Fire, but Allah invites [you] to Paradise and forgiveness by His Leave, and makes His *Âyât* [proofs,

[172] Its isnad is *ṣaḥeeḥ*. *Tafseer Ibn Katheer*, 1/265.

[173] *Al-Aḥwâl ash-Shakhṣiyah* by Abu Zahrah, p. 104.

evidences, verses, lessons, signs, revelations, etc.] clear to mankind that they may remember.﴾ *(Qur'an 2: 221)*

In this verse, Allah forbids marriage to *mushrik* women until they believe in Allah and in His Prophet, and He rules that a slave woman who believes in Allah and His Messenger — even if she is black and poor — is superior to a free *mushrik* woman even if she is beautiful, of good lineage and wealthy. By the same token, Allah forbids believing women to marry *mushrik* men even if the *mushrik* is more handsome, of better lineage and more wealthy than a believer.[174]

Although marriage to *mushrik* women is forbidden according to this verse, marriage to Jewish and Christian women is permissible according to another verse, namely:

﴿... [Lawful to you in marriage] are chaste women from the believers and chaste women from those who were given the Scripture [Jews and Christians] before your time...﴾ *(Qur'an 5: 5)*

This is a text which defines further the general meaning of the first text. This is the opinion of the majority of scholars.[175] But they still say that marriage to a Muslim woman is preferable. This applies if there are no negative consequences that will affect the husband, the children or the Muslim society. But if there are negative consequences, then the ruling is that such marriages are not allowed. This is the view of some contemporary scholars[176], and it is a view in which 'Umar ibn al-Khaṭṭâb set a precedent, as he was the first one to disallow marriage to Jewish and Christian women, on the basis of the following two points:

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[174] *Fiqh al-Awlawiyat Dirâsah fee aḍ-Ḍawâbiṭ*, by Muhammad al-Wakeeli, p. 77.

[175] *Al-Fiqh 'ala al-Madhâhib al-Arba'ah* by 'Abdur-Raḥmân al-Jazâ'iri, 5/76, 77.

[176] *Fiqh al-Awlawiyat* by Muhammad al-Wakeeli, p. 77.

1. That it leads to Muslim girls being "left on the shelf" and doomed to a life of spinsterhood.
2. That the Jewish or Christian woman may corrupt the morals and religious commitment of the Muslims' children.

These two reasons are sufficient grounds for this prohibition, but if we look at our own times we will see many other, new, negative consequences which make the reason for prohibiting such marriages even more urgent.[177] Professor Jameel Muhammad Mubârak listed a number of these negative consequences, which include the following:

1. The wife from among the people of the Book may have a mission of spying on the Muslims
2. The introduction of *kâfir* customs and ways into the Muslim lands
3. It exposes the Muslim to acquiring the nationality of the *kuffâr*
4. The ignorance of Muslims who marry women of the people of the Book may make them like putty in the hands of those women, to be moulded and shaped easily
5. Those who are married to women of the people of the Book may feel inferior, which is something caused by ignorance of the religion of Allah[178]

These negative consequences are sufficient to indicate that it is forbidden to marry Jewish and Christian women in our times.

The limits which 'Umar set on marriage to Jewish and Christian women were in harmony with the greater interests of the state and with the greater aims of the Muslim society. Nations which are advanced understand the harm that is caused when their men marry foreign women, and the danger that these marriages may bring to the homeland — whether inadvertently or deliberately; so they

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[177] Op cit., p. 78.

[178] *Shaheed al-Miḥrâb* by 'Umar at-Tilmasâni, p. 214.

impose limits, especially on their representatives and public figures, which is a valid and justifiable precaution. A wife knows many, if not all, of her husband's secrets, depending on the level of harmony and love that exists between them. Hence 'Umar (ﷺ) set a precedent for all rulers who came after him, by understanding that marriage to women of the people of the Book could lead to grave consequences, for they are strangers among us who differ from us in all ways, and most of them remain Jewish or Christian and do not taste the sweetness of Islam with its loyalty and respect towards the husband. 'Umar understand all of that because of his knowledge of his religion and his sound understanding of human nature, and of what was beneficial and harmful to the Muslims. So he issued his orders on the matter immediately and in a decisive manner.[179]

Freedom was protected and guaranteed at the time of the Rightly-Guided Caliphs, but it also had limits and restrictions. Hence the society flourished and advanced. Freedom is a basic right for individuals and societies, by means of which they realize themselves and fulfil their potentials. If freedom is taken away from a society, its most important fundamentals are taken away and it becomes as if it is dead.

Freedom in Islam sheds rays of light which make man conscious of his connection with Allah, and through this connection man can rise to the most sublime levels. He becomes eager to do righteous deeds and hastens to seek the pleasure of the Lord of heaven and earth. Freedom is one of the foundations of the Muslim society which was realized during the time of the Rightly-Guided Caliphs in the most sublime form, a shining example which reflects down throughout history.[180]

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[179] *Shaheed al-Miḥrâb* by at-Tilmasâni, p. 214.

[180] *al-Mujtama' al-Islâmi* by Dr. Muhammad Abu 'Ajwah, p. 245.

1.8. The expenditure of the caliph, the introduction of the Hijri calendar and the introduction of the title *Ameer al-Mu'mineen*

1.8.1. The expenditure of the caliph

Because the caliphate is a religious act and a means of drawing closer to Allah, the one who takes on this role and does well in it should be rewarded, and his reward is with Allah, Who rewards the one who does good for his good deeds, and requites the one who does evil for his evil deeds.[181] Allah (ﷻ) says:

﴿So whoever does righteous good deeds while he is a believer [in the Oneness of Allah — Islamic Monotheism], his efforts will not be rejected. Verily, We record it for him [in his Book of deeds].﴾

(Qur'an 21: 94)

That has to do with his reward in the Hereafter. With regard to his reward in this world, the caliph who devotes his efforts to the interests of the ummah and strives to carry out his duties towards it deserves to be compensated for that, because if a person's efforts are devoted to a purpose, he deserves to be rewarded twofold.[182] The fiqhi principle is that everyone who is devoted to the interests of another must be supported by the latter, such as a *mufti*, *qâḍi* or *wali*.[183] Taking payment in return for undertaking a task is something that is prescribed in shari'ah because the Prophet (ﷺ) gave payments to those whom he appointed to do certain tasks.[184]

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[181] *As-Sulṭah at-Tanfeedhiyah*, 1/215.
[182] *Al-Mabsooṭ*, 15/147, 166; *al-Mughni*, 5/445.
[183] *As-Sulṭah at-Tanfeedhiyah*, 1/215.
[184] Ibid, 1/216.

When 'Umar ibn al-Khaṭṭâb became the leader of the Muslims after Abu Bakr, for a while he did not take anything from the *bayt al-mâl*, until he started to suffer poverty as a result when his earnings from trade were no longer enough, because he was distracted from his business by the affairs of the people. He sent word to the Companions of the Messenger of Allah (ﷺ) and consulted them about that. He said: "I have been distracted (from earning a living) by this matter; what am I entitled to?" 'Uthmân ibn 'Affân (رضي الله عنه) said, "Eat and feed others." This was also the view of Sa'eed ibn Zayd ibn 'Amr ibn Nufayl.[185] 'Umar said to 'Ali (رضي الله عنه), "What do you say about that?" He said, "Breakfast and dinner," 'Umar followed that, and he explained what he was entitled to from the *bayt al-mâl* by saying, "I regard my entitlement from the *bayt al-mâl* as being like the share of one who takes care of an orphan: if I can do without it then I will not take it, but if I need it, I will take from it on a reasonable basis."[186]

It is reported that 'Umar went out to a group of the *Ṣaḥâbah* and asked them: "What do you think — is any of the wealth of Allah (i.e., the wealth in the *bayt al-mâl*) permissible to me?" They said, "The *Ameer al-Mu'mineen* knows better than us about that." He said, "If you wish, I will tell you what is permissible for me of it: a riding beast to take me for Ḥajj and 'Umrah, a suit for the winter and a suit for the summer, sufficient food for my dependents, and my regular stipend like any other Muslim, for I am just a Muslim man." Mu'ammar said: "What he used to ride to go to Ḥajj and 'Umrah was a single camel."[187]

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[185] Sa'eed ibn Zayd al-'Adawi, one of the ten who were given the glad tidings of Paradise.

[186] Its isnad is *ṣaḥeeḥ*. *Al-Khilâfah ar-Râshidah* by Dr. Yaḥya al-Yaḥya, p. 270.

[187] *Musannaf 'Abdur-Razzâq*, no. 20046, quoting from *as-Sulṭah at-Tanfeedhiyah*.

The Rightly-Guided Caliph 'Umar set the highest example for rulers of fulfilling the trust that they have undertaken. Abu Dawood narrated that Mâlik ibn Aws ibn al-Ḥadathân said: "One day 'Umar ibn al-Khaṭṭâb mentioned the *fay'* (war booty) and said, 'I have no more right to this booty than you, and no one among us has more right to it than anyone else, except in accordance with our status as indicated by the Book of Allah and the way in which the Messenger of Allah (ﷺ) divided the booty: so a man may be given in accordance with his seniority, his efforts, the number of his dependents, and his need.' "[188]

It was narrated from ar-Rabee' ibn Ziyâd al-Ḥârithi that he came to 'Umar ibn al-Khaṭṭâb (رضي الله عنه) and was surprised at his appearance and the way he carried himself. He said: "O' *Ameer al-Mu'mineen,* the one who is most entitled to fine food, a fine mount and fine clothing is you" — for he used to eat coarse food. 'Umar lifted up a palm leaf that he had with him and struck him on the head with it, then he said, "By Allah, you did not say that for the sake of Allah. All you wanted was to appease me. I thought you were better than that. Woe to you, do you know the likeness of me and these people (the Muslims)?" He said, "What is the likeness of you and these people?" He said, "It is like some people who set out on a journey and gave their money to one man, saying, 'Spend on us.' Would it be permissible for him to keep any of it for himself?" He said, "No, O' *Ameer al-Mu'mineen.*" He said, "That is the likeness of me and them."[189]

The *fuqaha'* derived a number of rulings on the expenditure of the caliph from the teachings of the Prophet (ﷺ) and the time of the Rightly-Guided Caliphs. These include the following:

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[188] *Sunan Abi Dawood,* hadith no. 2950.

[189] *Mahḍ aṣ-Ṣawâb,* 1/383; *aṭ-Ṭabaqât al-Kubra,* 3/280, 281.

1. That it is permissible for the caliph to accept payment for his work. An-Nawawi[190], Ibn al-'Arabi[191], al-Bahooti[192] and Ibn Mufliḥ[193] all stated that this is permissible.

2. The caliphs Abu Bakr and 'Umar both accepted payment for that.

3. Their taking that payment was in return for their devoting all their time to taking care of the Muslims' affairs, as Abu Bakr and 'Umar both stated.

4. The caliph has the right to take that payment whether he needs it or not. Ibn al-Muneer[194] was of the view that it is preferable for him to take it, because if he takes it that will be more helpful to him in doing his work than if he were not to take it, because then he will feel that his work is an obligation upon him.[195]

1.8.2. The introduction of the hijri calendar

The hijri calendar is regarded as a development that had a major cultural impact. The first one to introduce this system was 'Umar. There are several reports which speak of the reason for that.

It was narrated that Maymoon ibn Mahrân said:

"A document that was dated in Sha'bân came to 'Umar, and he said, "Is this Sha'bân of last year, or Sha'bân of the coming year, or the Sha'bân we are in now?" Then he gathered the Companions of the Messenger of Allah and said to them, "Set up something for the people that they can refer to." Someone suggested using the Byzantine

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[190] *Rawḍat aṭ-Ṭâlibeen,* 11/137.

[191] *Al-Bidâyah wa an-Nihâyah,* 12/228, 229.

[192] *Al-A'lâm* by az-Zarkali, 8/249.

[193] *As-Sulṭah at-Tanfeedhiyah,* 1/218.

[194] Ibid, 1/219.

[195] *Sharḥ Muslim* by an-Nawawi, 7/137.

(Roman) calendar, but it was pointed out that it was too long as they dated it from the time of Dhu al-Qarnayn. Someone else suggested using the Persian calendar, but they said that every time a new king came along, he abolished what had gone before. Then they agreed to look at how long the Messenger of Allah (ﷺ) had stayed in Madeenah, and they found that he had stayed there for ten years, so they based their calendar on the Hijrah of the Messenger of Allah (ﷺ).[196]

It was narrated that 'Uthmân ibn 'Ubaydullâh[197] said that he heard Sa'eed ibn al-Musayyib say: " 'Umar ibn al-Khaṭṭâb gathered the *Muhâjireen* and Anṣâr together and said, 'From when should we date our history?' 'Ali ibn Abi Ṭâlib (رضي الله عنه) said to him, 'From the time when the Prophet (ﷺ) came out of the land of *shirk*' i.e., from the day he migrated. So 'Umar ibn al-Khaṭṭâb (رضي الله عنه) adopted that date for the beginning of the calendar."

And it was narrated that Sa'eed ibn al-Musayyib said: "The first one to establish the calendar was 'Umar ibn al-Khaṭṭâb (رضي الله عنه), two and half years into his caliphate. He reached a decision in consultation with 'Ali ibn Abi Ṭâlib."[198]

Abu az-Zanâd[199] said: " 'Umar consulted others concerning the calendar, and they agreed upon the Hijrah."[200]

Ibn Ḥijr narrated the reason why they chose Muḥarram for the beginning of the calendar and not Rabee' al-Awwal, the month in which the Prophet (ﷺ) actually migrated: the *Ṣaḥâbah* who advised 'Umar suggested four events that could be used as the starting-point for the calendar: the Prophet's birth, the beginning of his mission, his

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[196] *Mahḍ aṣ-Ṣawâb*, 1/316; Ibn al-Jawzi, p. 69.

[197] Ibn Abi Râfi', the freed slave of the Prophet, narrating from his father.

[198] *Târeekh al-Islâm* by adh-Dhahabi, p. 163.

[199] 'Abdullâh ibn Dhakwân al-Qurashi, who is *thiqah faqeeh*; *at-Taqreeb*, p. 302.

[200] *Mahḍ aṣ-Ṣawâb*, 1/317.

Hijrah and his death. But they found that there was some dispute as to the year of his birth and the beginning of his mission, and they abandoned the idea of dating the calendar from his death because that would provoke grief and sorrow in the Muslims. So there was no other option left but the Hijrah. And they put it back from Rabee' al-Awwal to Muḥarram because the initial resolve to migrate came in Muḥarram. The second Pledge of al-'Aqabah, which was the precursor to the Hijrah, had taken place in *Dhu al-Ḥijjah*; the first new month to begin after that pledge and resolve to migrate was Muḥarram, so it was apt that this month should be chosen for the beginning of the calendar... Then Ibn Ḥajar said: "This is the most appropriate event to be regarded as the beginning, which took place in Muḥarram."[201]

By means of this important administrative event, 'Umar contributed to the creation of unity throughout the Arabian Peninsula, based on unity of religion, unity of the nation with no class differences, and unity of purpose by having a single calendar. Thus he was able to face his enemies, confident of victory.[202]

1.8.3. The title of *Ameer al-Mu'mineen*

When Abu Bakr (ﷺ), who had been known as *Khaleefah Rasoolullâh* (The Successor of the Messenger of Allah) died, the Muslims said: "Whoever comes after 'Umar will be known as the Successor of the Successor of the Messenger of Allah (ﷺ), and that will be too long-winded; let us agree upon a title which may be given to the caliph, by which successive caliphs may be addressed." Some of the Companions of the Messenger of Allah said: "We are the

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[201] *Fatḥ al-Bâri*, 7/268; *al-Khilâfah ar-Râshidah* by Yaḥya al-Yaḥya, p. 286.

[202] *Jawlah Târeekhiyah fee 'Aṣr al-Khulafa' ar-Râshideen* by Muhammad al-Wakeel, p. 90.

believers (*al-Mu'mineen*) and 'Umar is our leader (*Ameer*)." So 'Umar was called *Ameer al-Mu'mineen*, and he was the first one to be given this title.[203]

It was narrated from Ibn Shihâb that 'Umar ibn 'Abdul-'Azeez (ﷺ) asked Abu Bakr ibn Sulaymân ibn Abi Khaythamah[204]:

"Why did Abu Bakr (ﷺ) used to write, 'From Abu Bakr, the Successor of the Messenger of Allah (ﷺ),' whereas 'Umar (ﷺ) used to write, 'From 'Umar ibn al-Khaṭṭâb, the Successor of Abu Bakr? Who was first one to write "From *Ameer al-Mu'mineen*?' He said, 'My grandmother ash-Shifa'[205], who was one of the first women to migrate, and when 'Umar went to the market he used to visit her, told me that 'Umar ibn al-Khaṭṭâb wrote to a governor in Iraq[206] saying: 'Send me two noble and strong men so that I can ask them about Iraq and its people.' The governor of Iraq sent him Labeed ibn Rabee'ah and 'Adiyy ibn Ḥâtim. They came to Madeenah and dismounted in the courtyard of the mosque, then they entered the mosque, where they found 'Amr ibn al-'Âṣ (may Allah be pleased with him). They said to him, 'O' 'Amr, ask permission for us to enter and meet the *Ameer al-Mu'mineen*.' 'Amr entered and said, 'Peace be upon you, O' *Ameer al-Mu'mineen*.' 'Umar said to him, 'Why are you calling me by this name, O' son of al-'Âṣ? You have to tell me where you got these words from.' He said, 'Yes. Labeed ibn Rabee'ah and 'Adiyy ibn Ḥâtim came and said, 'Ask permission for us to enter and meet the *Ameer al-Mu'mineen*,' and I said, 'By Allah you have got his name right, for he is the leader and we are the believers.' And from that day on, this name was used in all

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[203] *Aṭ-Ṭabaqât al-Kubra* by Ibn Sa'd, 3/281.

[204] Al-'Adawi al-Madani, who is *thiqah*; *at-Taqreeb*, p. 207. and p. 155 note 4.

[205] Ash-Shifa' bint 'Abdullâh al-'Adawiyah, who became Muslim before the Hijrah.

[206] *Mahḍ aṣ-Ṣawâb*, 1/312.

letters.' "[207] According to another report, 'Umar said: "You are the believers and I am your leader," so he gave this title to himself.[208] Thus 'Umar ibn al-Khaṭṭâb (ﷺ) was the first one to be called *Ameer al-Mu'mineen*, and no one did that before him. If the researcher studies the words of the Companions of the Prophet (may Allah be pleased with them all), he will see that they were all agreed upon this title, so this title became well known throughout all the regions during his reign.[209]

2. 'Umar's Character, his Family Life and his Respect for *Ahl al-Bayt* (The Prophet's Household)

2.1. The most important characteristics of 'Umar

The key to 'Umar's personality is his faith in Allah and his preparations for the Last Day. This faith is the reason for the remarkable balance in the personality of 'Umar ibn al-Khaṭṭâb (ﷺ). Thus his strength did not undermine his fairness, his authority did not undermine his mercy, and his richness did not undermine his humility. Thus he deserved the help and support of Allah, and he fulfilled the meaning of *Tawḥeed* by knowledge, certain faith, acceptance, submission, sincerity, and love. He had a sound understanding of the true nature of faith and the meaning of *Tawḥeed*, and the effects of his deep faith were manifested in his life. The most important effects of that faith were:

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[207] *Al-Mustadrak*, 3/81,82, adh-Dhahabi said it is *ṣaḥeeḥ*.

[208] *Maḥḍ aṣ-Ṣawâb*, 1/312.

[209] Ibid, 1/313.

2.1.1. His deep fear of Allah which led him to take stock of himself

'Umar (ﷺ) used to say: "Remember the Fire a great deal, for its heat is intense, its bottom is deep and the stay therein is long."[210]

One day a Bedouin came to him and said:

"O' good 'Umar, may you be rewarded with Paradise. Give me something to support my daughters and their mother. I adjure you by Allah to do it."

He said, "If I do not do it, what then, O' Bedouin?" He said, "By Allah, you will be questioned about it... and there will only be either Hell or Paradise."

'Umar wept until his beard became wet with his tears, then he said, "O' slave, give him this shirt of mine because of that Day, not because of his words, for by Allah I do not own any other shirt."[211]

'Umar wept greatly because he was moved by the words of this Bedouin which reminded him of the Reckoning on the Day of Resurrection, even though there is no mention that he ever wronged anyone; rather it was due to his great fear of Allah that he wept before everyone who reminded him of the Day of Resurrection.[212]

Because of his great fear of Allah, he used to take stock of himself harshly. If he thought that he had wronged someone, he would look for him and tell him to settle the score with him. He would go to the people and ask them about their needs; if they told him about them then he would meet those needs. But he told them not to distract him with personal complaints when he was dealing with

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210 *Farâ'id al-Kalâm li'l-Khulafa' al-Kirâm*, p. 155.

211 *Târeekh Baghdâd*, 4/312.

212 *At-Târeekh al-Islâmi*, 19/46.

matters of public interest. One day he was busy dealing with some public matter[213] when a man came to him and said: "O' *Ameer al-Mu'mineen*, come with me and help me deal with so and so, for he has wronged me." 'Umar raised his stick and hit the man on the head, and said, "You ignore 'Umar when he comes and checks on you, then when he is busy dealing with the Muslims' affairs you come to him!" The man went away complaining, then 'Umar said, "Bring the man to me!" When they brought him back, 'Umar threw the stick to him and said, "Take the stick and hit me with it as I hit you." The man said, "No, O' *Ameer al-Mu'mineen*. I give it up for the sake of Allah and for your sake." 'Umar said, "Not like that. Either give it up for the sake of Allah and seeking the reward that is with Him, or give it up for my sake." The man said, "I give it up for the sake of Allah, O' *Ameer al-Mu'mineen*." The man went away, and 'Umar went into his house[214], accompanied by some people among whom was al-Aḥnaf ibn Qays, who narrated what he saw, "... He started to pray and he prayed two *rak'ahs* then sat. He said, 'O' son of al-Khaṭṭâb, you were lowly and Allah raised you in status; you were astray and Allah guided you; you were humble and Allah honoured you, then He put you in charge of the Muslims. Then a man came asking your help and you hit him. What will you say to your Lord tomorrow when you meet Him?' And he started to criticize himself in a manner that made me think that he was the best of the people on earth."[215]

It was narrated from Iyâs ibn Salamah that his father said to him: " 'Umar (ﷺ) passed by whilst I was in the market, going on some errand carrying a stick. He said, 'Move out of the way, O' Salamah!' then he dealt me a blow with the stick but it only hit the edge of my garment. I moved out of the way and he said no more

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213 *Al-Fârooq* by ash-Sharqâwi, p. 222.

214 Ibid.

215 *Mahd aṣ-Ṣawâb*, 2/503.

until the following year, when he met me in the market and said, 'O' Salamah, do you intend to go for Ḥajj this year?' I said, 'Yes, O' *Ameer al-Mu'mineen.*' He took me by the hand and did not let my hand go until he entered his house and brought out a bag containing six hundred *dirhams*. He said, 'O' Salamah, use this and know that it is in return for the blow I dealt you last year.' I said, 'By Allah, O' *Ameer al-Mu'mineen*, I did not remember it until you reminded me.' He said, 'By Allah, I have not forgotten it yet.'"[216]

'Umar (ﷺ) used to say, when he was checking himself: "Take stock of your selves before you are brought to account; weigh yourselves before you are weighed, and prepare yourselves for the great judgement.

﴾That Day shall you be brought to Judgement, not a secret of you will be hidden.﴿ *(Qur'an 69: 18).*"[217]

Because of his great fear of Allah and his strictness in taking stock of himself, he would say: "If a lamb were to die on the banks of the Euphrates, I would fear that Allah might call 'Umar to account for it."[218]

It was narrated that 'Ali (ﷺ) said: "I saw 'Umar ibn al-Khaṭṭâb (ﷺ) rushing by on a camel and I said, 'O' *Ameer al-Mu'mineen*, where are you going?' He said, 'One of the zakah camels has run away!' I said, 'You have caused humiliation to the caliphs who come after you.' He said, 'O' Abu al-Ḥasan, do not blame me, for by the One Who sent Muhammad as a Prophet, if a female kid were to die on the banks of the Euphrates, 'Umar would be taken to task for it on the Day of Resurrection.'"[219]

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216 *Târeekh aṭ-Ṭabari*, 4/244; its isnad is *ḍa'eef.*

217 *Mukhtaṣar Manhâj al-Qâṣideen*, p. 372; *Farâ'id al-Kalâm*, p. 143.

218 *Manâqib 'Umar*, Pp. 160, 161.

219 *Manâqib 'Umar*, p. 161.

It was narrated that Abu Salâmah said:

"I came to 'Umar when he was hitting men and women in the *Ḥaram* at a sink where they were doing *wuḍoo'*, in order to separate them. Then he said, 'O' So and so!' I said, 'Here I am.' He said, 'I am displeased with you. Did I not tell you to designate one sink for men and another for women?' Then he went away and was met by 'Ali (رضي الله عنه), and he said to him, 'I fear that I may be doomed.' He asked, 'Why would you be doomed?' He said, 'I hit men and women in the *Ḥaram* (Sanctuary) of Allah.' 'Ali said, 'O' *Ameer al-Mu'mineen*, you are a shepherd (in charge of the people); if you did that out of sincerity and in order to set things right, Allah will never punish you, but if you hit them for no reason then you are the wrongdoer.'"[220]

It was narrated that al-Ḥasan al-Baṣri said: "Whilst 'Umar (رضي الله عنه) was going around in the lanes of Madeenah, he thought of this verse:

﴾And those who annoy believing men and women undeservedly...﴿ *(Qur'an 33: 58)*

He went to Ubayy ibn Ka'b and entered his house when he was sitting on a cushion. He took it from beneath him and said, 'Take it, O' *Ameer al-Mu'mineen.*' He kicked it away with his foot and sat down, and recited the verse to him, and said, 'I am afraid that I am the one referred to in this verse, and that I have annoyed the believers.' He said, 'You cannot but keep an eye on your people, and issue commands and prohibitions.' 'Umar said, 'I see what you mean, but Allah knows best.'"[221]

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[220] *Musannaf 'Abdur-Razzâq*, 1/75, 76, its isnad is *ḥasan*; *Maḥḍ aṣ-Ṣawâb*, 2/623.

[221] *Manâqib 'Umar*, p. 162; *Maḥḍ aṣ-Ṣawâb*, 2/623.

Sometimes 'Umar would light a fire and put his hand over it and say: "O' son of al-Khaṭṭâb, can you bear this?"[222]

When Sa'd ibn Abi Waqqaṣ sent the cloak, sword, pants, shirt, crown and shoes of Chosroes to 'Umar after the battle of al-Qâdisiyah, 'Umar looked at the people and the tallest and most well built of them was Surâqah ibn Ja'tham al-Madlaji. He said: "O' Surâqah, get up and put these clothes on." He stood up and put them on, and he hoped to keep them. 'Umar said to him: "Walk over there," so he walked away. Then he said, "Come back," so he came back. Then he said: "Excellent! A Bedouin from Banu Madlaj wearing the cloak, trousers, sword, belt, crown and shoes of Chosroes. What a day, O' Surâqah, when you are wearing some of the belongings of Chosroes. It will be an honour for you and your people. Take it off." So Surâqah took it off, and 'Umar said: "[O' Allah], You withheld this from Your Messenger and Prophet, and he was dearer to You than me, and You withheld it from Abu Bakr, who was dearer to You than me, then You gave it to me. I seek refuge from You lest Your giving it to me be a test." Then he wept until those who were with him felt sorry for him. Then he said to 'Abdur-Raḥmân: "I urge you, sell it and share out (its price) before evening comes."[223] And there are many similar stories.

2.1.2. His asceticism (*zuhd*)

From his living the Qur'an, spending time with the Prophet (Blessings and peace be upon him) and thinking about this life, 'Umar understood that this world is the realm of tests and trials, and as such is a preparation for the Hereafter. Hence he was free of the

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[222] Op. cit, p. 62.

[223] *Maḥḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 2/ 625.

influence of this world and its dazzling attractions, and he submitted himself fully to his Lord, both outwardly and inwardly. He reached conclusions that took root in his heart and helped him to renounce pleasure in worldly things. Among these conclusions were the following:

1. Certain faith that in this world we are like strangers or passers by, as the Prophet (ﷺ) said: «"Be in this world as if you are a stranger or a passer by."»[224]

2. Certainty that this world is of no value before the Lord of Glory, except for what is done in obedience to Allah. The Prophet (ﷺ) said: «"If this world were worth a gnat's wing before Allah, He would not give a *kâfir* a drink of water from it."»[225] And he said, «"This world is cursed and everything in it is cursed, apart from remembrance of Allah and the like, or a scholar, or a seeker of knowledge."»[226]

3. Its time is almost over. The Prophet (ﷺ) said: «"The Hour and I have been sent like these two," (and he gestured with) his index finger and middle finger.»[227]

4. That the Hereafter is what will abide, as the believer among the family of Pharaoh said:

﴾O' my people! Truly, this life of the world is nothing but a [quick passing] enjoyment, and verily, the Hereafter that is the home that will remain forever. Whosoever does an evil deed, will not be requited except the like thereof; and whosoever does a righteous deed, whether male or female and is a true believer [in the Oneness of Allah], such will enter Paradise, where they will be provided therein

[224] Tirmidhi, *Kitâb az-Zuhd,* hadith no. 2333; it is a *ṣaḥeeḥ* hadith.
[225] Ibid, hadith no. 2320.
[226] Ibid, hadith no. 2322. He said: it is *ḥasan ghareeb.*
[227] Muslim, *Kitâb al-Fitan wa al-Ashrâṭ as-Sâ'ah,* hadith nos. 132-135.

[with all things in abundance] without limit.﴿

(Qur'an 40:39-40)[228]

The truths that took root in Umar's heart caused him to despise this world and its vanities, and to renounce its pleasures. There follow some examples of his attitude which indicate his renunciation of this transient realm.

It was narrated that Abu al-Ashhab[229] said: " 'Umar passed by a garbage dump and stopped there, and it was as if his companions were bothered by it (the smell). He said, 'This is this world of yours which you are so eager for and you weep over.' "[230]

It was narrated from Sâlim ibn 'Abdullâh that 'Umar ibn al-Khaṭṭâb used to say: "By Allah, if we wanted the pleasures of this world we would not care if we gave orders that a female goat be cooked for us, and we would order that the finest bread be baked for us, and raisins be soaked for us in vessels until they were like the eyes of partridges, and we would eat and drink all that. But we want to save our pleasures, because we have heard that Allah will say (on the Day of Resurrection),

﴾... You received your good things in the life of the world...﴿

(Qur'an 46: 20)

It was narrated that Abu 'Imrân al-Jawni said that 'Umar ibn al-Khaṭṭâb said: "We have more knowledge of fine food than many who eat it, but we would rather leave it for another Day,

﴾The Day you shall see it, every nursing mother will forget her

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[228] From *Akhlâq an-Nasr fee Jayl aṣ-Ṣaḥâbah* by Dr. as-Sayyid Muhammad Nooḥ, Pp. 48, 49.

[229] Ja'far ibn Ḥayân aṣ-Ṣa'di.

[230] *Az-Zuhd* by Imam Aḥmad, p. 118.

nursling, and every pregnant one will drop her load.》

(Qur'an 22: 2)"

'Umar said: "I thought about the matter, and I realized that if I wanted this world, that would damage my prospects in the Hereafter, and if I wanted the Hereafter, that would damage my prospects in this world, and if this is the case, I would rather my prospects be damaged in this transient world."[231]

He delivered a speech to the people when he was caliph, wearing an *izâr* (waist wrapper) on which there were twelve patches[232], and he circumambulated the House of Allah wearing an *izâr* on which there were twelve patches, one of which was made of red leather.[233]

He was late one Friday, then he came out and apologized to the people for keeping them waiting. He said: "I was late because of this garment of mine; it was being washed and I do not have any other garment."[234]

It was narrated that 'Abdullâh ibn 'Âmir ibn Rabee'ah said: "I set out for Ḥajj with 'Umar ibn al-Khaṭṭâb, from Madeenah to Makkah and back again, and no tent was set up for him. He used to put a cloak or a mat on a tree and shade himself beneath it.[235]

Thus was the *Ameer al-Mu'mineen*, who was in charge of the east and the west, sitting on the ground with his cloak beneath him as

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[231] *Al-Ḥilyah*, 1/50. It is *ḍa'eef* (weak) because of an interruption in its isnad. Also *Manâqib 'Umar* by Ibn al-Jawzi, p. 137.

[232] *Az-Zuhd* by Imam Aḥmad, p. 124; there are several isnads which strengthen it.

[233] *Aṭ-Ṭabaqât al-Kubra*, 3/328, its isnad is *ṣaḥeeḥ*.

[234] *Mahḍ aṣ-Ṣawâb fee Faḍâ'il Ameer al-Mu'mineen 'Umar ibn al-Khaṭṭâb*, 2/566.

[235] *Aṭ-Ṭabaqât* by Ibn Sa'd, its isnad is *ṣaḥeeḥ*.

if he were the lowliest of the people, or one of the common folk.

One day the Mother of the Believers Ḥafṣah (ﷺ) entered his place and saw that he was living a harsh and ascetic life. She said: "Allah has bestowed a lot of good things upon us, and has granted you ample provision. Why do you not eat food that is better than this, and wear finer clothes than this?" He said, "You tell me whether this is right or wrong." And he mentioned the Messenger of Allah (ﷺ) and the hard life that he lived, and he kept reminding her of how the Messenger of Allah (ﷺ) had lived when she was with him, until he made her weep. Then he said, "I had two companions who followed a certain path, and if I follow a hard path, perhaps I will join them in their life of luxury (in Paradise)."[236]

Worldly comforts were readily available to 'Umar (ﷺ), and many nations were conquered during his reign, but he never batted an eyelid and was not attracted to them at all. Rather all his happiness came from supporting the religion of Allah and striving to weaken the *mushrikeen*. Asceticism was a prominent feature of his character.[237] Sa'd ibn Abi Waqqâṣ (ﷺ) said: "By Allah, 'Umar ibn al-Khaṭṭâb was not the earliest of us to migrate, but I know why he is better than us: he was the most abstemious of us towards worldly matters."[238]

2.1.3. His piety

The piety of 'Umar (ﷺ) is attested to by the report narrated by Abu Zayd ibn 'Umar ibn Shabbah from Ma'dân ibn Abi Ṭalḥah al-Ya'mari, who said that some *qaṭa'if* (a kind of sweet) and food were

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[236] *Az-Zuhd* by Imam Aḥmad, p. 125; *aṭ-Ṭabaqât*, 3/277.

[237] *Al-Fârooq Ameer al-Mu'mineen* by Dr. Lamâḍah, p. 11.

[238] Its isnad is *jayyid*. Narrated by Ibn Abi Shaybah in his *Muṣannaf*, 8/149; Ibn 'Asâkir, 52/244.

brought to 'Umar. He ordered that they be shared out, then he said: "O' Allah, You know that I have not given them provision and I will never keep it for myself except if I share their food. I am afraid lest You make it fire in the belly of 'Umar." Ma'dân said, "Soon I saw him take a vessel of his own and put it between him and the vessels of the Muslims. The *Ameer al-Mu'mineen* 'Umar wanted to eat with the ordinary Muslims, because of the social benefits that that would bring, but he did not want to eat from the food that had been made with the public wealth of the Muslims, so he ordered that his own food, that had been made from his own wealth, be brought to him. This is a sublime example of integrity and piety, because there is no reason why his eating with the Muslims from their public wealth should be *ḥarâm*, because he was one of them, but he wanted to refrain from that, seeking thereby what is with Allah. Because of his deep fear of Allah, he was worried that this might be an ambiguous matter, so he took steps to protect himself."[239]

It was narrated that 'Abdur-Raḥmân ibn Nujayḥ said: "I stayed with 'Umar (ﷺ) and he had a she-camel which he used to milk. His slave came and poured some milk for him one day, and he objected to the taste. He said, 'Woe to you! Where did you get this milk from?' He said, 'O' *Ameer al-Mu'mineen,* the she-camel's calf had free rein and drank all her milk, so I milked one of the camels from the wealth of Allah for you.' He said, 'Woe to you, you have given me fire to drink!' and he asked permission from some people to drink that milk, and they said, 'It is permissible for you, and its meat too.'[240] This is the piety of 'Umar (ﷺ) — he feared the punishment of Allah for drinking that milk, even though he had not done so deliberately, and he could not feel at ease until he had asked permission for that from some of the senior *Ṣaḥâbah* (may Allah be pleased with them) who

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[239] *At-Târeekh al-Islâmi,* 19/37.

[240] *Târeekh al-Madeenah al-Munawwarah,* p. 702.

represented the Muslims in that matter. This report and others like it indicate that the thought of the Hereafter with its reckoning and reward or punishment dominated 'Umar and was foremost in his thoughts, to such an extent that it controlled his conduct in this life.[241] 'Umar was deeply pious, and that extended to what he thought was his right and what was not his right. One day he fell sick, and they gave him some honey as a remedy. There was some honey in the *bayt al-mâl* which had been brought from one of the conquered lands. 'Umar would not take the honey, as the doctors advised him to do, until he had gathered the people, ascended the *minbar*, and asked the people for permission: "If you give me permission (I will take it), otherwise it is *ḥarâm* for me." The people wept out of compassion for him, and they all gave him permission, and they said to one another: "What a man you are, O' 'Umar! You have made it difficult for the caliphs who come after you."[242]

2.1.4. His humility

It was narrated that 'Abdullâh ibn 'Abbâs said: "Al-'Abbâs had a downspout which jutted out over a path used by 'Umar. 'Umar had put on his Friday clothes and two chickens had been slaughtered for al-'Abbâs. When 'Umar came past the downspout, water that had been thrown over the blood of the chickens came out and splashed onto 'Umar. 'Umar ordered that the downspout be removed, then he went back and took off his clothes and put on some clothes that were not his. Then he came and led the people in prayer. Al-'Abbâs came to him and said, "By Allah, that is the place where the Messenger of Allah (ﷺ) put it." 'Umar said to al-'Abbâs, "I insist that you climb

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[241] *At-Târeekh al-Islâmi*, 19/28.

[242] *Farâ'id al-Kalâm li'l-Khulafa' al-Kirâm*, p. 113; *al-Fârooq* by ash-Sharqâwi, p. 275.

on my back and put it back in the place where the Messenger of Allah (ﷺ) put it." So al-'Abbâs did that.[243]

It was narrated that al-Ḥasan al-Baṣri said: " 'Umar went out on a hot day, holding his cloak over his head. A young man passed by on a donkey and he said, 'O' young man, let me ride with you.' The young man got down off the donkey and said, 'Ride, O' *Ameer al-Mu'mineen.*' He said, 'No; you ride and I will ride behind you. Do you want me to have the more comfortable place (in the front) and you ride in the less comfortable place (at the back)?' So he rode behind the young man, and entered Madeenah riding behind him, with the people looking on."[244]

It was narrated that Sinân ibn Salamah al-Hudhali said: "I went out with some other boys to pick up *balaḥ* dates, and there was 'Umar ibn al-Khaṭṭâb carrying a stick. When the young men saw him, they scattered amongst the date palms. I stood up and there were some of the dates I had picked up in my *izâr.* I said, 'O' *Ameer al-Mu'mineen*, this is what the wind blew down.' He looked at what was in my *izâr* and did not hit me. I said, 'O' *Ameer al-Mu'mineen*, the other boys are ahead of me now, and they will take all the dates I have.' He said, 'No (they will not). Move!' and he came with me to my family."[245]

A delegation came from 'Iraq to 'Umar ibn al-Khaṭṭâb, among whom was al-Aḥnaf ibn Qays. It was an intensely hot summer day and 'Umar had wrapped his head in an *'abayah* and was daubing the zakah camels with pitch. He said: "O' Aḥnaf, put aside your garment and come and help the *Ameer al-Mu'mineen* with this camel, for these are the zakah camels, to which the orphans, widows and poor

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[243] *Ṣifat aṣ-Ṣafwah*, 1/285.

[244] *Aṣḥâb ar-Rasool* by Mahmoud al-Maṣri, 1/157.

[245] *Ṣalâh al-Ummah fee 'Uluw al-Hammah* by Sayyid al-'Afâni, 5/425.

are entitled." A man among the people said, "May Allah forgive you, O' *Ameer al-Mu'mineen*. Why don't you tell one of the slaves who look after the zakah to take care of it?" 'Umar said, "What slave can be more of a slave than me or al-Aḥnaf? The one who has been appointed in charge of the Muslims' affairs owes them the same duties of sincerity and fulfillment of the trust as a slave owes to his master."[246]

It was narrated that 'Urwah ibn az-Zubayr (ﷺ) said: "I saw 'Umar ibn al-Khaṭṭâb carrying a vessel of water on his shoulder, and I said, 'O' *Ameer al-Mu'mineen*, you should not have to do this.' He said, 'When the delegations came to me listening and obeying, I felt a little proud, and I wanted to put a stop to that.' "[247]

It was narrated that Anas ibn Mâlik (ﷺ) said: "I heard 'Umar say one day, when I had gone out with him to a garden and there was a wall between me and him, and he was inside the garden, ' 'Umar ibn al-Khaṭṭâb, the *Ameer al-Mu'mineen*. Well done! By Allah, O' little son of al-Khaṭṭâb, you should fear Allah or else He will punish you.' "[248]

It was narrated from Jubayr ibn Nufayr that: "A group of people said to 'Umar ibn al-Khaṭṭâb, 'We have never seen any man who judges more fairly, speaks the truth more plainly and is more harsh in dealing with the hypocrites than you, O' *Ameer al-Mu'mineen*. You are the best of people after the Messenger of Allah (ﷺ).' 'Awf ibn Mâlik[249] said, 'You are lying, by Allah, there was one after the Messenger of Allah (ﷺ).' He asked, 'Who was that?' He

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[246] *Akhbâr 'Umar*, p. 343; *Aṣḥâb ar-Rasool* by Mahmoud al-Maṣri, 1/156

[247] *Madârij as-Sâlikeen*, 2/330.

[248] Mâlik, *al-Muwaṭṭa'*, 2/992, its isnad is *ṣaḥeeḥ*.

[249] Al-Ashja'i, a famous Companion who became Muslim after the conquest of Makkah.

said, 'Abu Bakr.' 'Umar said, ' 'Awf is right, and you are lying. By Allah, Abu Bakr was better than the scent of musk when I was still more astray than my people's camel' — i.e., before he became Muslim, because Abu Bakr became Muslim six years before him."[250]

This is indicative of 'Umar's humility and his respect for the virtuous, which was not limited only to those who were still alive, but included those who had died too. He did not agree to deny their virtue or ignore their memories, and he continued to speak well of them on every occasion; he strove to make the people respect those noble characters and not forget the great deeds they had done. Thus good deeds were perpetuated from one generation to another, and righteous deeds were not forgotten just because the ones who had done them were absent or had passed away. This is a sign of loyalty and faith.[251]

'Umar did not approve of ignoring the virtue of the one who had held this position before him, or allowing it to be forgotten, for the nation which forgets or neglects the memory of those who have served it is a nation which is doomed to fail. Is it not better for the people to be taught about these sublime characters? 'Umar had learned the Book of Allah and the Sunnah of His Messenger (ﷺ), so he was disciplined in a manner which books of morals and manners, both ancient and modern, are unable to attain. The Book of Allah is still in our hands, and the Sunnah of the Messenger of Allah (ﷺ) is still preserved among us, in which there is incomparable learning and morals and manners.[252]

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[250] *Manâqib 'Umar* by Ibn al-Jawzi, p. 14; *Maḥḍ aṣ-Ṣawâb*, 2/586.

[251] *Shaheed al-Miḥrâb*, p. 144.

[252] Ibid, Pp. 144, 145.

2.1.5. His forbearance

It was narrated that Ibn 'Abbâs (ﷺ) said:

" 'Uyaynah ibn Ḥasn ibn Ḥudhayfah came and stayed with his brother's son, al-Ḥurr ibn Qays[253], who was one of the group who were close to 'Umar. The righteous were the companions and advisors of 'Umar, whether they were old or young. 'Uyaynah said to his brother's son, 'O' son of my brother, you are close to the caliph, so seek permission for me to enter and meet him.' He said, 'I will ask permission for you to meet him." Ibn 'Abbâs said, 'So al-Ḥurr asked for permission for 'Uyaynah to enter and 'Umar gave him permission to enter. When he entered, he said, 'O' son of al-Khaṭṭâb, by Allah, you are not generous with us and you do not judge fairly among us.' 'Umar became angry and wanted to punish him, but al-Ḥurr said to him, 'O' *Ameer al-Mu'mineen*, Allah, the Exalted, Almighty said to His Prophet:

﴾Show forgiveness, enjoin what is good, and turn away from the foolish [i.e. don't punish them].﴿ *(Qur'an 7: 199)*

— and this is one of the foolish." By Allah, 'Umar did not do anything after he had recited this verse to him, and he would show respect to the Book of Allah.[254] When he heard this verse, he calmed down and turned away from the man who had slandered his character by accusing him of miserliness and slandered his religious commitment by accusing him of being unfair in sharing out wealth. This is what 'Umar was striving hard to achieve. Who among us can exercise such self-restraint at the time of anger?

[253] Al-Ḥurr ibn Qays al-Fazâri, a Companion who became Muslim with the delegation of Banu Fazârah.

[254] Bukhari, hadith nos. 6856, 4366.

When 'Umar delivered a speech in al-Jâbiyah in Syria, he spoke of wealth and how it was to be divided, and of other matters, among which he said: "I apologize to you for Khâlid ibn al-Waleed, for I ordered him to keep this money for the weak among the *Muhâjireen*, but he gave it to the strong, the noble and the eloquent. So I dismissed him and appointed Abu 'Ubaydah ibn al-Jarrâḥ instead." Abu 'Amr ibn Ḥafṣ ibn al-Mugheerah stood up and said, "By Allah, that is not acceptable, O' 'Umar. You have dismissed someone who was appointed by the Messenger of Allah (ﷺ), and you have sheathed a sword that was unsheathed by the Messenger of Allah (ﷺ), and you have dismantled something that was set up by the Messenger of Allah (ﷺ), and you have broken the ties of kinship and envied your cousin." 'Umar (رضي الله عنه) said: "You are a close relative and young in age, and you are angry because he is your cousin."

These are some of the attributes which were the fruits of 'Umar's *Tawḥeed* and faith in Allah, and his preparations to meet Allah, the Exalted, Almighty. The scholars have discussed the features of his personality, the most important of which were the strength of his religious commitment, courage, strong faith, fairness, knowledge, experience, deep insight, dignity, strength of character, farsightedness, generosity, setting a good example, compassion, seriousness, resolve, toughness, piety and awareness of Allah. And they discussed his leadership skills as demonstrated during his caliphate, among the most important of which were his listening to criticism, his ability to motivate people and get the job done, his taking part in decision-making on the basis of *shoora*, his adaptability and flexibility during emergencies, and his keeping a close eye on his governors and agents. Throughout this book the reader will note these characteristics and more, but I do not want to list them all here for fear of being repetitive.

2.2. His life with his family

'Umar (ﷺ) said: "The people will be honest with their ruler so long as the ruler is honest with Allah, and if the ruler is dishonest, the people will be dishonest."[255]

Hence 'Umar was very strict in checking on himself and his family. He knew that people were looking at him and watching closely, and that there was no point in being strict with himself if he let his family have free rein, for which he would be brought to account in the Hereafter and for which people would not show any mercy in this world. When 'Umar forbade the people to do something, he would go to his family and say: "I have forbidden the people to do such and such, and the people are watching you as a bird watches a piece of meat. If you break the rules, then so will they, but if you refrain then so will they. By Allah, if a man is brought to me who has done that which I forbade the people to do, I will punish him double, because of his relationship to me. So whoever among you wants (to do that), let him go ahead, and whoever wants to refrain, let him do so."[256] And he used to keep a very close eye on the actions of his children, wives and relatives. There follow some examples:

2.2.1. Public facilities

'Umar forbade his family to make use of public facilities that had been set up by the state for the benefit of certain people, fearing lest he show favouritism to his family therein. 'Abdullâh ibn 'Umar said: "I bought some camels and let them graze in al-Ḥima (a common grazing area set up by the state), and when they grew fat I brought them (to sell). 'Umar entered the market and saw some fat

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[255] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb,* by Dr. Muhammad Qal'aji, p. 146.
[256] *Maḥḍ aṣ-Ṣawâb,* 3/893.

camels. He said, "Whose are these camels?" It was said, "They belong to 'Abdullâh ibn 'Umar." He started saying, "O' 'Abdullâh ibn 'Umar... the son of the *Ameer al-Mu'mineen*. What are these camels?" I said, "Camels which I bought and sent to al-Ḥima, seeking what any other Muslim would seek." He said, "And they said, Take care of the camels of the son of the caliph, water the camels of the son of the caliph. O' 'Abdullâh ibn 'Umar, see what your capital is, keep it and give the profit to the *bayt al-mâl* of the Muslims."[257]

2.2.2. His calling his son 'Abdullâh to account for what he bought of the booty of Jaloola'

'Abdullâh ibn 'Umar said: "I was present at Jaloola' — one of the battles in Persia — and I bought some of the booty for forty thousand. When I came to 'Umar he said, 'What do you think, if you were shown the fire and it was said to you, 'Pay a ransom'? Would you not pay a ransom? It is as if I can see the people when they were buying and selling, saying, 'It is 'Abdullâh ibn 'Umar, the Companion of the Messenger of Allah (ﷺ) and the son of the caliph and the most beloved of people to him,' and that is true. So they would rather give you a lower price than a higher price. I am in charge of dividing the booty and I will give you most of what a merchant of Quraysh would make; for each *dirham* you are allowed to make one *dirham*.'" Then he called the traders and they bought it from him for four hundred thousand *dirhams*, and he gave me eighty thousand *dirhams*, and sent the rest to Sa'd ibn Abi Waqqâṣ to share it out.[258]

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[257] *Manâqib 'Umar* by Ibn al-Jawzi, Pp. 157, 158.

[258] *Târeekh al-Islâm* by adh-Dhahabi; *'Ahd al-Khulafa' ar-Râshideen*, Pp. 270, 271.

2.2.3. Not allowing facilities to be brought because of ties of kinship

It was narrated that Aslam said: " 'Abdullâh and 'Ubaydullâh the sons of 'Umar went out with an army to Iraq, and when they came back, they passed by Abu Moosa al-Ash'ari, who was the governor of Baṣra. He welcomed them and said, 'If there is anything I can do for you, I shall.' Then he said, 'Yes, here is some of the wealth of Allah which I want to send to the caliph. I will lend it to you to buy some goods from Iraq which you can sell in Madeenah, then you can give the capital to the caliph and keep the profit.' So they did that, and he wrote to 'Umar, telling him to take the money from them. When they came to 'Umar, he said, 'Did he lend to the whole army as he lent to you?" They said, "No." 'Umar said, "Give me the wealth and the profit." 'Abdullâh kept quiet, but 'Ubaydullâh said, "You should not do that, O' *Ameer al-Mu'mineen*. If the money had been lost or diminished, we would have paid it back." He said, "Give me the money." 'Abdullâh kept quiet, and 'Ubaydullâh kept saying the same thing. Then a man among those who were sitting with 'Umar said, "O' *Ameer al-Mu'mineen*, why don't you make it a partnership (profit sharing)?"[259] So 'Umar took the capital and half of the profits, and 'Abdullâh and 'Ubaydullâh took the other half of the profits, They said that this was the first partnership in Islam.

2.2.4. Giving precedence to Usâmah ibn Zayd over 'Abdullâh ibn 'Umar (may Allah be pleased with them) in giving

'Umar used to divide wealth and he would give precedence to some people over others on the basis of who came to Islam first and

[259] *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 244.

who was related to the Prophet (ﷺ). So he gave Usâmah ibn Zayd (ﷺ) four thousand, and he gave 'Abdullâh ibn 'Umar (ﷺ) three thousand. He said: "O' my father, you gave Usâmah ibn Zayd four thousand and you gave me three thousand. Is his father's virtue not the same as yours, and is his virtue not the same as mine?" 'Umar said, "His father was more beloved to the Messenger of Allah (ﷺ) than your father, and he was more beloved to the Messenger of Allah (ﷺ) than you."[260]

2.2.5. "I spent on you for a month"

'Âṣim ibn 'Umar said: " 'Umar sent Yarfa' (his freed slave) to me and I came to him and found him sitting in the mosque. He praised Allah, then he said, 'I do not think that any of the wealth is permissible for me before I become in charge of it, except by right. Then when I become in charge of it, it cannot be more impermissible for me. I spent on you from the wealth of Allah for a month, but I am not going to give you any more. And I gave you some of the produce of al-'Âliyah, so take its price and go to one of the merchants of your people and stay by his side. If he buys or sells anything, go in partnership with him and spend on yourself and on your family.' So I went and did that."[261]

2.2.6. "Take it, O' Mu'ayqeeb, and put it in the *bayt al-mâl*"

Mu'ayqeeb said: 'Umar sent for me to come at noon time, and I found him in a house demanding money from his son 'Âṣim. He said to me: "Do you know what this one has done? He went to Iraq

[260] *Farâ'id al-Kalâm li'l-Khulafa' al-Kirâm*, p. 113.
[261] *Aṭ-Ṭabaqât*, 3/277, its isnad is *ṣaḥeeḥ*; *Maḥḍ aṣ-Ṣawâb*, 2/491.

and told them that he was the son of the caliph, and asked them for money, so they gave him vessels, silver and other goods, and a decorated sword." 'Âṣim said, "What did I do? All I did was go to some of my people and they gave me this." 'Umar said, "Take it, O' Mu'ayqeeb, and put it in the *bayt al-mâl.*"[262]

This is an example of caution with regard to the wealth that a person acquires by virtue of his position. When 'Umar felt that his son 'Âṣim had acquired this wealth because of his being the son of the caliph, he was uncomfortable with the idea of letting him keep it, because he had not acquired it through any effort on his part, so it came under the heading of doubtful matters.[263]

2.2.7. 'Âtikah, the wife of 'Umar, and the musk

Some musk and amber came to 'Umar (ﷺ) from Bahrain, and 'Umar said: "By Allah, I wish that there was a woman who was good at weighing, who could weigh this perfume for me so that I could divide it among the Muslims." His wife 'Âtikah bint Zayd ibn 'Amr ibn Nufayl said to him, "I am good at weighing; let me weigh it for you." He said, "No." She said, "Why not?" He said, "I am afraid that you might take it and do this" — and he put his finger on his temple and said, "and wipe your neck, thus you will get more than the other Muslims."[264]

This is an example of 'Umar's piety and his cautious approach in matters of religious commitment. He refused to let his wife take charge of dividing this perfume lest she wipe some of it on her neck, in which case she would have gotten some of the wealth of the Muslims.

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[262] *'Aṣr al-Khilafah ar-Râshidah* by al-'Umari, p. 236. This report is *ḥasan.*

[263] *At-Târeekh al-Islâmi,* 19/40.

[264] *Az-Zuhd* by Imam Aḥmad, p. 11; quoting from *at-Târeekh al-Islâmi,* 19/30.

2.2.8. His refusal of a gift for his wife

Ibn 'Umar said: "Abu Moosa al-Ash'ari gave a mat to 'Umar's wife 'Âtikah bint Zayd, and I think that it was one cubit and a handspan. 'Umar saw it with her and said, 'Where did you get this from?' She said, 'Abu Moosa al-Ash'ari gave it to me.' 'Umar took it and hit her on the head with it, then he said, 'Bring Abu Moosa to me.' So he was brought to him and he (Abu Moosa al-Ash'ari) said, 'Do not be hasty, O' *Ameer al-Mu'mineen.*' 'Umar said, 'What made you give gifts to my womenfolk?' Then 'Umar took it and hit him over the head with it, and said, 'Take it, we have no need of it.' "[265]

2.2.9. The gift of the Byzantine queen to his wife Umm Kulthoom

Al-Ustâdh al-Khuḍari stated in his lectures that when the Byzantine king stopped attacking and sent letters to 'Umar and tried to approach him, and 'Umar sent envoys to him with the mail, Umm Kulthoom bint 'Ali ibn Abi Ṭâlib sent some perfume, cups and women's combs to the Byzantine queen. These things reached her, and the wife of Caesar gathered her women and said: "This is a gift from the wife of the king of the Arabs, and the daughter of their Prophet." So she wrote to her and sent her a gift, which included a valuable necklace. When the mail reached 'Umar, he ordered that it be detained, then he order that the call "*aṣ-Ṣalâtu Jâmi'ah* (prayer is about to begin)" be given. The people gathered and he led them in praying two *rak'ahs*, then he said: "There is no goodness in any matter that is decided without consultation (*shoora*). Tell me what you think about this gift which the wife of the Byzantine king has given to Umm Kulthoom." Some of them said, "It is hers in return

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265 *Ash-Shaykhân Abu Bakr wa 'Umar min Riwâyat al-Balâdhuri*, p. 260.

for her gift." He said, "But the envoy was the envoy of the Muslims and the mail was their mail." So he ordered that it be placed in the *bayt al-mâl* and that she be given something equivalent in value to what she had spent.[266]

2.2.10. "Umm Sulayṭ has more right to it"

It was narrated that Tha'labah ibn Abi Mâlik said: " 'Umar ibn al-Khaṭṭâb shared out some aprons among the women of Madeenah, and there was one fine apron left over. Some of those who were with him said, 'O' *Ameer al-Mu'mineen*, give this to the daughter of the Messenger of Allah (ﷺ) who is with you' — meaning Umm Kulthoom the daughter of 'Ali. But 'Umar said, 'Umm Sulayṭ has more right to it.' Umm Sulayṭ was one of the women of the Anṣâr who had sworn allegiance to the Messenger of Allah (ﷺ). 'Umar said, 'She used to prepare food for us on the day of Uḥud.' "[267]

2.2.11. "You have been insincere towards your father and have been sincere towards your relatives"

Some wealth was brought to 'Umar, and news of that reached Ḥafṣah (ﷺ) the Mother of the Believers. She said: "O' *Ameer al-Mu'mineen*, your relatives have a right to this wealth. Allah has enjoined that close relatives be given a share of this wealth." He said, 'O' my daughter, my relatives have a right to my wealth, but this wealth belongs to the Muslims. You have been insincere towards your father and have been sincere towards your relatives. Get up and leave.' "[268]

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[266] *Al-Khulafa' ar-Râshidoon*, by Dr. 'Abdul-Wahhâb an-Najjâr, p. 245.

[267] *Fatḥ al-Bâri*, 7/424 and 6/93; *al-Khilâfah ar-Râshidah*, p. 273.

[268] *Az-Zuhd* by Imam Aḥmad, p. 17; *Farâ'id al-Kalâm*, p. 139.

2.2.12. "Do you want me to meet Allah as a treacherous king?"

A son-in-law of 'Umar came to him and asked 'Umar to give him something from the *bayt al-mâl.* 'Umar rebuked him and said, "Do you want me to meet Allah as a treacherous king?" Later on, he gave him ten thousand *dirhams* from his own wealth.[269]

These are some incidents which demonstrate how 'Umar refrained from taking anything from the public wealth, and prevented his relatives and his family from benefiting from his position of authority. If 'Umar had allowed himself and his family free rein, they would have indulged and those who came after them would have indulged too. The wealth of Allah was under the control of the rulers, and it is natural, as we have seen all too often, that when a ruler stretches out his hand towards the public wealth, things go out of control and the *bayt al-mâl* or the government's budget soon becomes defunct; things soon reach a level where this treachery is no longer hidden and the entire system collapses. It is well known that if a person is content, refrains from touching people's wealth and respects their rights, that makes them love him, and if he is their ruler, they will support him and obey him sincerely, and he will be dearer to them than their own selves.[270]

From the way in which 'Umar dealt with his family and his relatives, we can see one aspect of the way in which he conducted his role as caliph, which is setting a good example in both his private and public life. 'Ali ibn Abi Ṭâlib said concerning him: "You exercised restraint and your people exercised restraint; if you had been dishonest, they would have been dishonest. The fact that he practised what he preached and was tougher in checking on himself and his

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[269] *Târeekh al-Islâm* by adh-Dhahabi, p. 271.

[270] *Al-Khulafa' ar-Râshidoon*, by adh-Dhahabi, p. 271.

family than with his governor and agents brought him great respect from the people, and the elite and common folk alike trusted him.[271]

Such was 'Umar, the Rightly-Guided Caliph, who reached an exemplary pinnacle through Islamic discipline. Faith in Allah filled his heart, a deep faith which made him an example for later generations. Faith in Allah and adherence to the teachings of this religion are still the tools which will make a leader the best possible example from now until the Day of Resurrection.[272]

2.3. His respect and love for the Prophet's family (*Ahl al-Bayt*)

Undoubtedly the family of the Prophet (ﷺ) enjoy a high status and level of respect from *Ahl as-Sunnah wa al-Jamâ'ah*, who honour the rights which Allah has prescribed for *Ahl al-Bayt*. They love them and regard them as friends, and they follow the recommendations of the Messenger of Allah (ﷺ), which he spoke of on the day of Ghadeer Khum: «"I remind you of Allah concerning the members of my household."»[273] They are the happiest of people to take this advice and follow it; they reject the way of the Râfidis who go to extremes concerning of the members of the Prophet's family, and the way of the Nâṣibis who insult them and hate them. *Ahl as-Sunnah* are unanimously agreed that it is obligatory to love *Ahl al-Bayt* and it is *ḥarâm* to offend them or mistreat them in word or deed.[274] 'Umar (ﷺ) demonstrated and explained to us the beliefs of *Ahl as-Sunnah* concerning *Ahl al-Bayt* (family of the last Prophet) in the way in which he dealt and interacted with them.

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[271] *Al-Qiyâdah wa at-Taghyeer*, p. 182.

[272] *Fann al-Ḥukm*, p. 74.

[273] Muslim, *Kitâb Faḍâ'il aṣ-Ṣaḥâbah*, hadith no. 2408.

[274] *Al-'Aqeedah fee Ahl al-Bayt bayna al-Ifrâṭ wa at-Tafreeṭ*, p. 59.

2.3.1. His dealings with the wives of the Prophet (ﷺ)

'Umar (ﷺ) used to check on the wives of the Prophet (ﷺ) and give generously to them. He would not eat any fine food or fruit without sending some of it to the wives of the Prophet (ﷺ); the last one to whom he would send anything was Ḥafṣah, and if there was any shortfall, she would be the one whose share would be affected.[275] He also used to send their stipend to them. The following is the story of an incident which took place with the Mother of the Believers Zaynab bint Jaḥsh (ﷺ). When he had worked out the shares of the Muslims, 'Umar sent to the Mother of the Believers Zaynab bint Jaḥsh (ﷺ) her share. When it was brought to her, she said: "May Allah forgive 'Umar; my sisters are better able to handle a share like that than me." They said, "This is all for you." She said, "*Subḥân Allâh.*" Then she hid herself from him behind a curtain, and said, "Put it down and cover it with a cloak." Then she said to Barzah bint Râfi': "Put your hand in and take a handful, and give it to Banu So and so (among her relatives and orphans under her care)." She shared it out until there was a little left under the cloak, then Barzah said: "May Allah forgive you, O' Mother of the Believers, by Allah we have a right to that." She said, "You may have whatever is beneath this cloak." She lifted up the cloak and found eighty-five *dirhams*. Then she raised her hands towards heaven and said: "O' Allah, do not let me live until the next time 'Umar distributes shares." Then she died, and she was the first of the Prophet's wives to join him — may Allah be pleased with her.[276]

Another example of how 'Umar honoured the wives of the Prophet (ﷺ) was narrated by the Mother of the Believers 'Â'ishah (ﷺ), who said: " 'Umar ibn al-Khaṭṭâb used to send to us our share

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[275] *Az-Zuhd*, p. 166, via Mâlik; its isnad is *ṣaḥeeḥ*.

[276] A *ḥasan* report narrated by Ibn Sa'd, 8/190; *Akhbâr 'Umar*, p. 100.

of heads and feet (of animals, for food).[277]

When the wives of the Prophet (ﷺ) asked 'Umar for permission to go for Ḥajj, he refused to give them permission until they insisted. Then he said: "I will give you permission next year, but this is not what I think." He sent 'Uthmân ibn 'Affân and 'Abdur-Raḥmân ibn 'Awf with them, and told them to travel one in front of them and one behind, and not to walk alongside them. When they wanted to stop, they were to stop in a mountain pass and (the two men) were to stay at the entrances to the pass so that no one would go to or visit them. And he told them that when they circumambulated the Ka'bah, no one was to circumambulate with them except other women.[278]

2.3.2. 'Ali ibn Abi Ṭâlib (ﷺ) and his children

'Umar showed a great deal of respect to the family of the Messenger of Allah (ﷺ) and preferred them over his own children and family. We will mention some examples of that:

Al-Ḥusayn ibn 'Ali (ﷺ) mentioned that: " 'Umar said to him one day, 'O' my son, why don't you come and join us sometimes?' So I came one day but he was alone with Mu'âwiyah, and Ibn 'Umar was at the door but was not granted admittance, so I went back. He met me after that and said, 'O' my son, did I not see you coming to us?' I said, 'I came but you were alone with Mu'âwiyah, and I saw Ibn 'Umar come back, so I came back.' He said, 'You have more right to be given permission to enter than 'Abdullâh ibn 'Umar, for all the blessings we have, as you can see, are caused by Allah, then you (i.e., *Ahl al-Bayt*),' and he lay his hand on his head."[279]

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[277] A *ṣaḥeeḥ* report, narrated by Ibn Sa'd, 3/303.

[278] *Al-Idârah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, p. 126; *al-Fatḥ*, 4/87.

[279] *Al-Murtaḍa* by an-Nadawi, p. 118; quoting from *al-Iṣâbah*, 1/133.

Ibn Sa'd narrated from Ja'far ibn Muhammad al-Bâqir that his father, 'Ali ibn al-Ḥusayn, said: "Some suits were brought to 'Umar from Yemen and he distributed them to the people, and they put them on. He was sitting between the (Prophet's) grave and the *minbar*, and the people were coming and greeting him and making *du'â'* for him. Then al-Ḥasan and al-Ḥusayn came out of the house of their mother Fâṭimah (ﷺ) and passed among the people, and they were not wearing any of those suits. 'Umar frowned, then he said, 'By Allah, I am not happy about what I have given you.' They said, 'O' *Ameer al-Mu'mineen*, you gave clothes to your people and you did well.' He said, 'I am not happy because of two young men who were passing among the people and were not wearing any of these suits because they were too big or too small for them.' Then he wrote to Yemen asking that two suits be sent quickly for al-Ḥasan and al-Ḥusayn. Two suits were sent to him and he gave them to them."[280]

It was narrated from Abu Ja'far that when he wanted to decide how much each Muslim was entitled to after Allah had granted conquests (and wealth started coming in), he gathered some of the Companions of the Prophet (ﷺ) and 'Abdur-Raḥmân ibn 'Awf (ﷺ) said: "Start with yourself." He said, "No, by Allah, (I will start) with those who are closest to the Messenger of Allah (ﷺ) and Banu Hâshim, the tribe of the Messenger of Allah (ﷺ)." So he allocated something to al-'Abbâs, then to 'Ali, until he had given to people from five different tribes, ending with Banu 'Adiyy ibn Ka'b, and he wrote it down: those of Banu Hâshim who were present at Badr, those of Banu Umayyah ibn 'Abd Shams who were present at Badr, then the next closest and the next closest. He allocated their shares to them, then he allocated shares to al-Ḥasan and al-Ḥusayn, because of their position in relation to the Messenger of Allah (ﷺ).[281]

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[280] Op. cit., p. 118, quoting from *al-Iṣâbah*, 1/106.

[281] *Al-Murtaḍa* by an-Nadawi, p. 119.

The scholar Shibli an-Nu'mâni said in his book *al-Fârooq*, under the heading, "Rights and etiquette between the family and the Companions [of the Prophet (ﷺ)]" that 'Umar (رضي الله عنه) did not make any decision about any serious matter without consulting 'Ali, who used to advise him with all sincerity. When he travelled to *Bayt al-Maqdis* (Jerusalem), he appointed 'Ali in charge of matters of caliphate in Madeenah. The harmony and solidarity between them was further confirmed when 'Ali gave his daughter Umm Kulthoom, who was the daughter of Fâṭimah (رضي الله عنها), to 'Umar in marriage[282], and named one of his own children 'Umar, just as he had named another Abu Bakr and a third 'Uthmân.[283] No one names his children except after people whom he loves and regards as a good example.[284]

'Ali ibn Abi Ṭâlib was the first one whom 'Umar ibn al-Khaṭṭâb consulted (may Allah be pleased with them both), and 'Umar used to consult him about all matters, both major and minor. He consulted him when the Muslims conquered Jerusalem, and when al-Madâ'in was conquered, and when 'Umar wanted to go to Nahawand and fight the Persians, and when he wanted to go out and fight the Byzantines, and concerning the establishment of the Hijri calendar, and other matters.[285]

Throughout the life of 'Umar, 'Ali was a sincere advisor who feared for 'Umar's life. 'Umar loved 'Ali and there was deep affection and mutual trust between them. Yet despite that some people still insist on distorting history and narrating reports that suit them and their whims and desires, so as to give us a picture of the Rightly-Guided Caliphs which suggests that they were all plotting

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[282] Op. cit., p. 119.

[283] *Al-Bidâyah wa an-Nihâyah*, 9/331-332.

[284] *Al-Murtaḍa* by an-Nadawi, p. 119.

[285] *'Ali ibn Abi Ṭâlib Mustashâr Ameen al-Khulafa' ar-Râshideen*, by Muhammad al-Ḥâji, p. 99.

against one another and all their affairs were run from behind the scenes.[286]

Dr. al-Booṭi says: "One of the most obvious things that will be noticed by anyone who studies the caliphate of 'Umar is the distinct and pure-spirited cooperation between 'Umar and 'Ali (may Allah be pleased with them both). 'Ali was 'Umar's primary adviser in all issues and problems, and whenever 'Ali offered a suggestion, 'Umar would adopt it out of conviction. It is sufficient for you to know that he said, 'Were it not for 'Ali, 'Umar would be doomed.' As for 'Ali, he was very sincere in all his affairs and in all situations. You have seen how 'Umar consulted him about going at the head of the army to fight the Persians. His advice was sincere advice that reflected his love and care for 'Umar, telling him not to go, and to run the war from where he was. He warned him that if he went, then he would leave a vacuum behind him that would be more dangerous than the enemy whom he wanted to confront. Do you think that if the Messenger of Allah (ﷺ) had declared that 'Ali was to be the caliph after him, that 'Ali would have turned away from the command of the Messenger of Allah (ﷺ) and supported those who had supposedly usurped his right, or rather his duty, to become caliph, in such a sincere and constructive manner? Would the *Ṣaḥâbah* (may Allah be pleased with them) have ignored the command of the Messenger of Allah (ﷺ)? Could it even be imagined that they, led by 'Ali, would have unanimously agreed to that? So it is easy to draw the obvious conclusion, that up until this time — the end of 'Umar's reign, and indeed up until the end of 'Ali's reign — the Muslims had been united, and there had not been any confusion in the mind of any Muslim with regard to the caliphate and who was most entitled to it."[287]

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[286] Op. cit., p. 138.
[287] *Fiqh as-Seerah an-Nabawiyah*, p. 529.

2.3.3. The dispute between al-'Abbâs and 'Ali (may Allah be pleased with them) concerning the booty of the Messenger of Allah (ﷺ) from Banu an-Nuḍayr

Mâlik ibn Aws said: "Whilst I was sitting with my family before noon, a messenger came to me from 'Umar ibn al-Khaṭṭâb, and said, 'Come to the *Ameer al-Mu'mineen.*' So I went with him to 'Umar, and found him sitting on a bare bed, with no mattress, leaning on a leather cushion. I greeted him with *salâm* and sat down, and he said, 'O' Mâlik, some families from your people have come to us and I have ordered that some shares be allocated to them. Take them and divide among them.' I said, 'O' *Ameer al-Mu'mineen*, would that you told someone else to do that.' He said, 'Take them (and do that).' Whilst I was sitting with him, his doorkeeper Yarfa' came to him and said, 'Will you give 'Uthmân, 'Abdur-Raḥmân ibn 'Awf, az-Zubayr and Sa'd ibn Abi Waqqâṣ permission to enter?' He said, 'Yes.' So he let them in, and they came in and sat down. Then Yarfa' sat down for a little while, then he said, 'Will you let 'Ali and 'Abbâs come in?' He said, 'Yes.' So he let them in, and they came in and gave the greeting of *salâm* and sat down.

'Abbâs said, 'O' *Ameer al-Mu'mineen*, judge between me and this one.' They were disputing about the booty that Allah had granted to His Messenger (ﷺ) from the wealth of Banu an-Nuḍayr. The group, 'Uthmân and his companions, said, 'O' *Ameer al-Mu'mineen*, judge between them and give them a break from one another.' 'Umar said, 'Wait a minute. I ask you by Allah, by Whose permission the heaven and earth exist, do you know that the Messenger of Allah (ﷺ) said, «'We cannot be inherited from; what we leave behind is charity'» and the Messenger of Allah (ﷺ) was referring to himself?' The group said, 'He did say that.' Then 'Umar turned to 'Ali and 'Abbâs and asked, 'I ask you by Allah, do you know that the Messenger of Allah (ﷺ) said that?' He said, 'He did say that.' 'Umar said, 'I will tell you

more about this matter. Allah allocated something special in this booty which He did not give to anyone else.' Then he recited:

﴾And what Allah gave as booty [*Fay'*] to His Messenger [Muhammad] from them — for this you made no expedition with either cavalry or camelry. But Allah gives power to His Messengers over whomsoever He wills. And Allah is Able to do all things.﴿
(Qur'an 59: 6)

— (and said:) 'This applies only to the Messenger of Allah (ﷺ), but by Allah, he did not keep it for himself and withhold it from you, rather he gave it to you and distributed it among you, until only this wealth was left. The Messenger of Allah (ﷺ) gave his family what they needed for the whole year from this wealth, then he took what was left and put it in the *bayt al-mâl*. The Messenger of Allah (ﷺ) did that during his lifetime. I ask you by Allah, do you know this?' They said, 'Yes.' Then he said to 'Ali and 'Abbâs, 'I ask you by Allah, do you know this?' They said, 'Yes.' 'Umar said, 'Then Allah took the soul of His Prophet (ﷺ), and Abu Bakr said, 'I am the successor of the Messenger of Allah (ﷺ).' By Allah, Abu Bakr took it and used it in the same way as the Messenger of Allah (ﷺ) had done, and Allah knows that he was honest and sincere, and sought to do the right thing. Then Allah took the soul of Abu Bakr, and I am the successor of Abu Bakr. I took it for two years of my reign and I used it as the Messenger of Allah (ﷺ) and Abu Bakr had done, and Allah knows that I was honest and sincere, and sought to do the right thing. And now you have come to me and spoken to me, when you were both in agreement. You have come to me, O' 'Abbâs, asking me for your share from your brother's son, and this one — meaning 'Ali — has come to me asking for a share for his wife, from her father. I said to you both that the Messenger of Allah (ﷺ) said, «'We cannot be inherited from; what we leave behind is charity.'» When I thought that I might give it to you, I said, 'If you wish, I will give it to you

both, on condition that you make a promise to Allah to use it as the Messenger of Allah (ﷺ) did and as Abu Bakr did and I did since the beginning of my reign.' You said, 'Give it to us on that basis,' so I gave it to you. I ask you by Allah, did I not give it to them on that basis?' The group said, 'Yes.' Then he turned to 'Ali and 'Abbâs and said, 'I ask you by Allah, did I not give it to you on that basis?' They said, 'Yes.' He said, 'And now you are seeking a different judgement from me? If you are not able (to dispose of it properly), then give it to me and I will take care of it.' "[288]

2.3.4. 'Umar's respect for al-'Abbâs and his son 'Abdullâh (may Allah be pleased with them both)

'Umar (ﷺ) demonstrated to the ummah the virtue of al-'Abbâs ibn 'Abdul-Muṭṭalib, the paternal uncle of the Messenger of Allah (ﷺ), and how much he respected him and honoured his rights, when he prayed for rain by virtue of al-'Abbâs in the year of ar-Ramâdah, as we will describe below *insha' Allâh*. Indeed, 'Umar swore to al-'Abbâs, as we have seen above, that his becoming Muslim was dearer to him than his own father's becoming Muslim would have been, if it had happened, because al-'Abbâs's becoming Muslim was dearer to the Messenger of Allah (ﷺ).[289]

As a sign of the love that 'Umar ibn al-Khaṭṭâb had for the cousin of the Messenger of Allah (ﷺ), 'Abdullâh ibn 'Abbâs (ﷺ), he used to admit him to the gatherings of the senior *Ṣaḥâbah*, those who had been present at Badr, although they had sons the same age as him, and no one else shared this privilege. This is indicative of his virtue, knowledge and status with 'Umar. Bukhari narrated with an

[288] Muslim, hadith no. 1757. At the end of another report it says: and they gave it back to him.

[289] *Al-'Aqeedah fee Ahl al-Bayt bayna al-Ifrâṭ wa at-Tafreeṭ*, p. 210.

isnad going back to Ibn 'Abbâs that he said: «" 'Umar used to admit me with those who had been present at Badr, and some of them asked, 'Why do you include this youngster with us, when we have sons like him?' He said, 'Because of what you know about him.' He called them one day and called me with them, and I do not think that he invited me that day except to show them my knowledge. He asked, 'What do you say about,

﴿When there comes the Help of Allah [to you, O' Muhammad against your enemies] and the Conquest [of Makkah]. And you see that the people enter Allah's religion [Islam] in crowds...﴾ *(Qur'an 110:1-2)*?'

Some of them said, 'We do not know,' and some of them did not say anything. He asked me, 'O' son of al-'Abbâs, do you say the same?' I said, 'No.' He then asked, 'Then what do you say?' I said, 'It is foretelling the death of the Messenger of Allah (ﷺ). Allah is telling him that when the help of Allah came and the conquest of Makkah, that is a sign that your death is approaching, so glorify the praises of your Lord and ask His forgiveness, verily, He is the One Who accepts repentance and Who forgives.' 'Umar said, 'That is exactly how I understand it.' "»[290]

Al-Ḥâfidh ibn Ḥajar said that al-Baghawi[291] narrated in *Mu'jam aṣ-Ṣaḥâbah* via Zayd ibn Aslam, that Ibn 'Umar said:

" 'Umar used to call Ibn 'Abbâs and draw him close to him and say, 'I saw the Messenger of Allah (ﷺ) call you one day and wipe your head and say, «'O' Allah, give him understanding of Islam and teach him the meaning of the Qur'an.'»'[292] This action of 'Umar's was an acknowledgement of the virtue, knowledge and understanding of Ibn 'Abbâs."

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[290] Bukhari, hadith no. 4294.

[291] *Al-'Aqeedah fee Ahl al-Bayt bayna al-Ifrâṭ wa at-Tafreeṭ*, p. 210.

[292] *Fatḥ al-Bâri*, 1/170.

Al-Ḥâfidh ibn Katheer stated that: " 'Umar (ﷺ) often used to say, 'What a good interpreter of the Qur'an 'Abdullâh ibn 'Abbâs is.' And when he came he would say, 'The young man of the old men has come, the one who asked questions and who understands.'[293] There was a great deal of mutual love and affection between 'Umar and the family of the Messenger of Allah (ﷺ)."

3. Umar's Life in Society and his Concern with Checking on People's Conduct in the Marketplace

3.1. 'Umar's life in society

'Umar's life in society was a living application of the Book of Allah and the Sunnah of His Messenger (ﷺ). From various incidents we can see Islam embodied in his life. There follow some examples.

3.1.1. 'Umar (ﷺ) and his concern for the women in society

'Umar (ﷺ) was concerned about the Muslims' womenfolk and daughters, and the old women. He would give them their rights and relieve them of any wrongs that were done to them. He would take care of families whose menfolk were away on jihad, and make sure that widows got their rights. In a well-known comment, he said: "By Allah, if I live longer I will not leave any widow of the people of Iraq in need of anyone else after this year."[294] There follow some

[293] *Al-Bidâyah wa an-Nihâyah*, 8/303.

[294] *Ṣaḥeeḥ at-Tawtheeq fee Seerat wa Ḥayât al-Fârooq 'Umar ibn al-Khaṭṭâb*, p. 373.

shining examples of his care for women:

"May your mother be bereft of you, how could you check on 'Umar?"

'Umar went out in the darkness of night and saw Ṭalḥah ibn 'Ubaydullâh (ﷺ). 'Umar went and entered one house, then he entered another house. The following morning, Ṭalḥah went to that house and found a paralyzed, blind old woman. He said to her, "Who is this man who comes to you?" She said: "He has been taking care of me for such and such a time. He brings me what I need and takes away any rubbish for me." Ṭalḥah said (to himself): "May your mother be bereft of you, how could you check on 'Umar?"[295]

Concern for the weaker members of society is one of the main factors of success, and one of the greatest means of drawing closer to Allah. The leaders of Islamic movements, rulers of Muslim peoples, Imams of mosques and Muslims in general should pay attention to this aspect of their societies.

"Allah heard this woman's complaint from above seven heavens"

'Umar came out of the mosque accompanied by al-Jarood al-'Abdi, and there was a woman who had come out into the street. 'Umar ibn al-Khaṭṭâb greeted her with *salâm* and she returned his greeting, and said, "O' Umar, I remember you when you were called 'Umayr in the market of 'Ukâdh, chasing the other boys with your stick. Not long after that you were called 'Umar, and not long after that you were called *Ameer al-Mu'mineen*. Fear Allah with regard to the people and remember that whoever fears the warning (of the Day of Judgement), soon hardship will be made easy for him, and whoever fears death should worry about missing out (on doing

[295] *Akhbâr 'Umar*, p. 344; *Maḥḍ aṣ-Ṣawâb*, 1/356.

righteous deeds)." Al-Jarood said, "You are being too harsh on the *Ameer al-Mu'mineen*, O' woman!" 'Umar said, "Let her be. Don't you know who this is? This is Khawlah bint Tha'labah, whose words Allah heard from above seven heavens, so 'Umar is more obliged to listen to her."[296] According to another report, "By Allah, even if she stood and spoke until night came, I would not leave her except to go and pray, then I would come back to her."[297] And according to another report: "This is Khawlah concerning whom Allah revealed the words:

﴾Indeed Allah has heard the statement of her [Khawlah bint Tha'labah] that disputes with you [O' Muhammad] concerning her husband [Aws ibn aṣ-Ṣâmit].﴿ *(Qur'an 58:1)*."[298]

"Welcome to our close relatives"

It was narrated from Zayd ibn Aslam that his father said:

"I went out with 'Umar ibn al-Khaṭṭâb (ﷺ) to the market, and a young woman ran after 'Umar and said, 'O' *Ameer al-Mu'mineen*, my husband has died and left behind young children. By Allah they cannot take care of themselves and they own nothing, and I am afraid that the hyena will eat them. I am the daughter of Khufâf ibn Eema' al-Ghifâri[299], and my father was present at al-Ḥudaybiyah with the Messenger of Allah (ﷺ).' 'Umar stood with her and did not move on. He said, 'Welcome to our close relatives.' Then he went to a strong camel that was tied near the house and loaded it with two big vessels which he filled with foodstuff, and he placed money and clothing

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[296] *Mahḍ aṣ-Ṣawâb*, 3/777. It is *ḍa'eef* because of the interruption in its isnad between Qatâdah and 'Umar ibn al-Khaṭṭâb.

[297] Ad-Dârimi, *ar-Radd 'ala al-Jahamiyah*, p. 45.

[298] *Al-'Alw li'l-Aliy al-Ghaffâr* by adh-Dhahabi, p. 63.

[299] The Imam and *khaṭeeb* of Banu Ghifâr who was present at al-Ḥudaybiyah and died during 'Umar's caliphate.

between them. Then he gave the reins to her and said, 'Take it, for it will not finish until Allah gives you some more.' A man said, 'O' *Ameer al-Mu'mineen*, you have given her too much.' 'Umar said, 'May your mother be bereft of you! By Allah, I saw the father and brother of this woman besieging a fortress for a long time, then we conquered it, then the next morning we shared out the booty because of their actions.' "[300]

This is indicative of 'Umar's loyalty towards everyone who had done something for Islam, even if it was only a little. What loyalty is this, and how great is our need for it in these times when there is hardly any loyalty among many people.[301]

His proposal of marriage to Umm Kulthoom the daughter of Abu Bakr

'Umar ibn al-Khaṭṭâb (ﷺ) went to 'Â'ishah the Mother of the Believers (ﷺ) to ask her for the hand of her younger sister Umm Kulthoom in marriage. 'Â'ishah spoke to her sister, who replied: "I have no need of that." 'Â'ishah asked, "Are you rejecting the *Ameer al-Mu'mineen*?" She said, "Yes, for he lives a hard life and is very strict with women." 'Â'ishah sent for 'Amr ibn al-'Âṣ and told him about that, and he said, "O' Mother of the Believers, don't worry, I will sort it out." Then he went to 'Umar and said, "O' *Ameer al-Mu'mineen*, I have heard some news, but do not be upset about it." He said, "What is it?" He asked, "Did you propose marriage to Umm Kulthoom bint Abi Bakr?" He then said, "Yes. Does she think that she is not fit for me or that I am not fit for her?" He said, "Neither, but she is young and has been brought up in the care of the Mother of the Believers 'Â'ishah, in a very soft and gentle manner, and you are harsh and we feel scared of you, and we cannot stand in your way, so

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[300] Bukhari, *Kitâb al-Maghâzi*, hadith no. 3928.

[301] *Aṣḥâb ar-Rasool* by Mahmoud al-Maṣri, 1/177.

how about if she goes against you in any matter and you treat her harshly? You would have mistreated the child of Abu Bakr in a manner that is not right." 'Umar asked, "How about 'Â'ishah when I have spoken to her?" He said: "I will take care of that, O' *Ameer al-Mu'mineen*."[302]

According to another report, 'Amr ibn al-'Âṣ said: "O' *Ameer al-Mu'mineen*, why don't you get married?" 'Umar said: "Perhaps that will be during the next few days." 'Amr said: "Who do you have in mind?" 'Umar said: "Umm Kulthoom bint Abi Bakr." 'Amr said: "What do you want with a young woman who is mourning her father day and night?" 'Umar said: "Did 'Â'ishah tell you to say that?" 'Amr said: "Yes." So he left her alone and Ṭalḥah ibn 'Ubaydullâh married her.[303]

One of the wishful thoughts that a young girl may have is to marry the leader of her people. But here the caliph came proposing marriage without being forceful or imposing. With all freedom and determination the girl said no to the caliph and the caliph accepted that and gave up, without feeling upset or distressed, and without issuing threats and warnings, because he knew that Islam does not force a girl to marry someone she does not want. 'Amr was very eloquent in the manner in which he conveyed news of the refusal, and 'Umar was very smart in realizing the source thereof despite 'Amr's delicacy and tact.[304] Indeed, 'Umar defended the right of girls to agree to those who proposed marriage to them when he said: "Do not force your daughters to marry an ugly man, for they like what you like."[305]

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[302] *Al-Fârooq 'Umar* by ash-Sharqâwi, Pp. 210, 211.
[303] *Shaheed al-Miḥrâb*, p. 204.
[304] Ibid, p. 205.
[305] *'Uyoon al-Akhbâr*, 4/11; *Farâ'id al-Kalâm*, p. 141.

A man speaking to a woman in the street

Whilst 'Umar was walking in the street, he saw a man speaking to a woman. He hit him with his stick and the man said: "O' *Ameer al-Mu'mineen*, she is my wife!" He said to him, "Why are you standing with your wife in the street, making the Muslims talk about you?" He said, "O' *Ameer al-Mu'mineen*, we have just entered Madeenah and are discussing where we should stay." 'Umar gave the stick to him and said, "Take your revenge on me, O' slave of Allah." He said, "It doesn't matter, O' *Ameer al-Mu'mineen.*" He said, "Take your revenge." After he had said it three times, the man said, "It is for the sake of Allah." 'Umar said, "May Allah reward you."[306]

A woman complaining to 'Umar about her husband

A woman came to 'Umar and said: "O' *Ameer al-Mu'mineen*, my husband is very bad and is not good." 'Umar said to her, "Who is your husband?" She said, "Abu Salamah." 'Umar knew him, for he was a Companion of the Prophet (ﷺ). 'Umar said to her, "We do not know anything but good about your husband." Then he asked a man who was with him, "What do you say?" He said, "O' *Ameer al-Mu'mineen*, we do not know anything but that." He sent for her husband and told her to sit down behind him ('Umar). A man soon came back with her husband and 'Umar asked him, "Do you know this woman?" He said, "Who is she, O' *Ameer al-Mu'mineen*?" He said, "She is your wife." He asked, "What is she saying?" He said, "She claims that you are very bad and are not good." He said, "What a bad thing she has said, O' *Ameer al-Mu'mineen*. By Allah, she is the best clothed of women and has the most comfortable house, but her husband is impotent." He said (to her), "What do you say?" She said, "He is telling the truth." 'Umar took his stick and started hitting her, saying, "O' enemy of yourself, you have taken his youth and

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[306] *Akhbâr 'Umar*, p. 190, quoting from *ar-Riyâḍ an-Naḍrah*.

consumed his wealth, and now you are saying things that are not right about him." She said, "O' *Ameer al-Mu'mineen*, let me off this time, and by Allah you will not see me doing this again." He said to her, "Fear Allah and be a good companion to this old man." Then he turned to him and said, "Do not let what you have seen me to do to her prevent you from being a good companion to her." He said, "I will do that, O' *Ameer al-Mu'mineen.*"

'Umar said to a man who was thinking of divorcing his wife: "Why do you want to divorce her?" He said, "I do not love her." 'Umar said, "Must every house be built on love? What about loyalty and appreciation?"[307]

The provision of the sons of al-Khansa'

When the four sons of al-Khansa' were martyred and the news reached 'Umar, he said: "Give al-Khansa' the provision of her four sons, and continue to do that until she passes away." And she continued to take two hundred *dirhams* for each of them each month, until she passed away.[308]

Hind bint 'Utbah borrowing from the bayt al-mâl and doing business

Her husband before Abu Sufiyân was Ḥafṣ ibn al-Mugheerah, the paternal uncle of Khâlid ibn al-Waleed. That was during the *Jâhiliyah*. Hind was one of the best-looking and smartest women of Quraysh. Abu Sufiyân ultimately divorced her, so she asked 'Umar for a loan of four thousand *dirhams* from the *bayt al-mâl* (public treasury), then she went out to the land of Kalb where she bought and sold. Then she went to her son Mu'âwiyah, when he was 'Umar's

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[307] *Al-Bayân wa at-Tabayeen*, 2/101; *Farâ'id al-Kalâm*, p. 113.

[308] *Al-Idârah al-'Askariyah fee ad-Dawlah al-Islâmiyah*, by Dr. Sulaymân Âl Kamâl, 2/764.

governor in Syria, and said: "O' my son, 'Umar only works for the sake of Allah."[309]

During the era of the Rightly-Guided Caliphs, women had the status to which Islam had raised them, so during that era we see women participating in many fields, such as the intellectual, literary and business spheres. 'Â'ishah, Umm Salamah, Ḥabeebah bint Umm Ḥabeebah, Arwa bint Kurayz ibn 'Abd Shams and Asmâ' bint Salamah at-Tameemiyah were all highly accomplished in the fields of hadith, fiqh, literature and issuing *fatwas*. Other women excelled in poetry, such as al-Khansa' and Hind bint 'Utbah.[310] 'Umar acknowledged women's virtue and recognized that they were creatures with feelings, opinions and thoughts. Just as he consulted men, he also consulted women, and he gave precedence to the opinion of ash-Shifa' bint 'Abdullâh al-'Adawiyah. So what is left for women to look for outside of Islam, when the caliph himself consulted women concerning the affairs of state and accepted their opinions?[311] 'Umar regarded himself as being like a father with children. He would go to the women whose husbands were absent and stand at their doors, saying, "Do you need anything? Do any of you want to buy anything? For I would not like you to be cheated in buying and selling." And they would send their slave women with him, and he would enter the market followed by a host of women's slaves; he would buy for them whatever they needed, and if any of them could not afford to pay he would buy it with his own wealth. When an envoy came from the border, 'Umar would take the letters from their husbands to them himself, and he would say: "Your husbands are (fighting) for the sake of Allah, and you are in the land

309 *Târeekh al-Islâm: 'Ahd al-Khulafa' ar-Râshideen*, Pp. 298, 299.

310 *Taṭawwur Târeekh al-'Arab as-Siyâsi wa al-Ḥaḍâri*, by Dr. Fâṭimah ash-Shâmi, p. 175.

311 *Shaheed al-Miḥrâb*, p. 205.

of the Messenger of Allah (ﷺ). If any among you can read (she may read her husband's letter), otherwise come near the door so that I can read (the letter) to you." Then he would say, "The messenger is leaving on such and such a day; write letters so that we can send them with him." Then he would go around to them with paper and ink and say: "Here are ink and paper; come close to the door so that I can write for you." And he would take the letters from those women and send them to their husbands.[312]

3.1.2. Remembering and acknowledging righteous deeds

'Umar used to remember and acknowledge righteous deeds that the Muslims had done in the past. He was an excellent judge of character, and he said: "Do not be deceived by a man's eloquence; rather whoever fulfils trusts and refrains from impugning people's honour is a real man."[313] And he used to say: "Do not look at a man's prayer or fasting; rather look at his reason and honesty." And he said: "There are two (types of) men I do not fear for you: a believer whose faith is obvious and a *kâfir* whose *kufr* is obvious. Rather I fear for you the hypocrite who hides behind a show of faith but strives for some other purpose." 'Umar asked about a man who had given testimony, wanting to find out whether anyone could vouch for him. A man said to him: "I will vouch for him, O' *Ameer al-Mu'mineen.*" 'Umar asked, "Are you his neighbour?" He said, "No." He then asked, "Did you mix with him for a day and come to know his real character?" He said, "No." He asked next: "Did you travel with him? For travelling and being away from home reveal a man's true essence?" He said, "No." 'Umar said, "Perhaps you saw him in the mosque, standing, sitting and praying?" He said, "Yes." 'Umar said,

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[312] *Akhbâr 'Umar*, p. 339; *Sirâj al-Mulook*, p. 109.

[313] *Fiqh al-I'tilâf* by Mahmood Muhammad al-Khazandâr, p. 164.

"Go away, for you do not know him."[314]

A number of Muslims earned the praise of 'Umar when Allah enabled them to serve Islam in great ways. There follow a few examples of that:

"You believed when they did not, you came when they turned away, and you were loyal when they proved treacherous"

It was narrated that 'Adiy ibn Ḥâtim said: "I came to 'Umar ibn al-Khaṭṭâb with some of my people, and he started giving each man of Ṭay' a share of two thousand and ignoring me. I went to him and he turned away from me. I came and stood in front of his face and he turned away from me. I said, 'O' *Ameer al-Mu'mineen,* do you recognize me?' He laughed so hard he nearly fell on his back and said, 'Yes, by Allah, I recognize you. You believed when they did not, you came when they turned away, and you were loyal when they proved treacherous. The first charity which brought support and joy to the Messenger of Allah (ﷺ) and his Companions was the charity of Ṭay', which you brought to the Messenger of Allah (ﷺ).' Then he apologized and said, 'I have allocated it to people who are suffering extreme poverty, and to the leaders of their tribes, because of the responsibilities they have.'[315] According to another report, 'Adiy said, 'Then I do not mind.'"[316]

"Every Muslim should kiss the head of 'Abdullâh ibn Ḥudhâfah, and I will be the first"

The Romans captured the great *Ṣaḥâbi* 'Abdullâh ibn Ḥudhâfah as-Sahami, and took him to their king, who said to him:

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[314] *'Umar ibn al-Khaṭṭâb*, by Ṣâliḥ ibn 'Abdur-Raḥmân 'Abdullâh, p. 66.

[315] Muslim, hadith no. 2523; *Musnad Aḥmad*, hadith no. 316.

[316] *Al-Khilâfah ar-Râshidah*, by Dr. Yaḥya al-Yaḥya, p. 297; *Fatḥ al-Bâri*, 7/706.

"Become Christian and I will share my kingdom with you and give you my daughter's hand in marriage." He ('Abdullâh) said to him, "Even if you gave me all that you possess and all that the Arabs possess to make me give up the religion of Muhammad (ﷺ) for the blink of an eye, I would not do it." He said, "Then I will kill you." He said, "It's up to you." So the king ordered that he be crucified and that the archers shoot him near his hands and feet, whilst he was telling him to become Christian, but he refused to do so. Then he ordered that he be taken down and a huge pot of copper be heated up. Then one of the Muslim prisoners was brought and thrown into it, and when he looked there was nothing left but bones. He again told him to become Christian, but he refused. Then he ordered that he be thrown into that pot, and he was lifted on a pulley to be thrown in, but he wept and the king hoped that he would respond and he again told him to become Christian. But 'Abdullâh said, "I am only weeping because I have but one soul to be thrown into this pot for the sake of Allah. I wish that I had as many souls as there are hairs on my body, so that they may all receive this torture for the sake of Allah." According to some reports, the king imprisoned him and deprived him of food and drink for several days, then he send wine and pork to him, but he did not touch them. The king summoned him and said, "Why did you not eat?" He said: "They were permissible for me (in that situation), but I did not want to give you the satisfaction." The king said to him: "Kiss my head and I will let you go." He said: "And will you let all the Muslim prisoners go?" He said, "Yes." So he kissed his head, and he let him go and he let all the Muslim prisoners go with him. When he came back, 'Umar ibn al-Khaṭṭâb said, "Every Muslim should kiss the head of 'Abdullâh ibn Ḥudhâfah, and I will be the first," and he stood up and kissed his head.[317]

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[317] *Tafseer Ibn Katheer*, 2/610.

"Is Uways ibn 'Âmir among you?"

When delegations came from Yemen, 'Umar ibn al-Khaṭṭâb would ask: "Is Uways ibn 'Âmir among you?" When he found him, he asked, "Are you Uways ibn 'Âmir?" He answered, "Yes." He asked, "From Murâd then from Qarn?" He said, "Yes." He then asked, "Did you have leprosy, then you were healed of it except for a space the size of a *dirham*?" He said, "Yes." He asked, "Do you have a mother?" He said, "Yes." He ('Umar) said, "I heard the Messenger of Allah (ﷺ) say, 'There will come to you Uways ibn 'Âmir among the delegations from Yemen, from Murâd then from Qarn. He had leprosy, then he was healed of it, except for a space the size of a *dirham*. He has a mother whom he honours, and if he asks Allah for anything, He grants it to him. If you can ask him to pray for forgiveness for you, then do so.' So pray for forgiveness for me." So he prayed for forgiveness for him. 'Umar asked him, "Where are you going?" He said, "Koofah." He said, "Why don't I write a letter for you to the governor?" Uways said, "I prefer to live among the poor and humble people." The following year, one of the noble people (of Koofah) came back to 'Umar, who met him and asked about Uways. He said, "I left him in humble circumstances and with meager means." He said, "I heard the Messenger of Allah (ﷺ) say, 'There will come to you Uways ibn 'Âmir among the delegations from Yemen, from Murâd then from Qarn. He had leprosy, then he was healed of it, except for a space the size of a *dirham*. He has a mother whom he honours, and if he asks Allah for anything, He grants it to him. If you can ask him to pray for forgiveness for you, then do so.' " That man went to Uways and said, "Pray for forgiveness for me." Uways said, "Rather you should do that for me, for you have just come from travelling for a good purpose. Pray for forgiveness for me." The man said, "Pray for forgiveness for me." Uways said, "Did you meet 'Umar?" He said, "Yes." So he prayed for forgiveness for

him. Then the people came to know the story of Uways, and he fled.[318]

'Umar (ﷺ) and a Mujâhid who honoured his mother

Some fighters came from Syria, heading for Yemen, and 'Umar had dishes of food that he would set out after *Fajr*. One of those men came and sat down, and started to eat, using his left hand. 'Umar — who used to watch the people whilst they were eating — said to him: "Eat with your right hand," but he did not respond. 'Umar repeated it, and he said, "O' *Ameer al-Mu'mineen*, it is busy." When he had finished eating, 'Umar called him and said, "What kept your right hand busy?" He brought out his arm and the hand was cut off. 'Umar said, "What is this?" He said, "I lost my hand on the day of al-Yarmook." He said, "Who does *wuḍoo'* for you?" He said, "I do *wuḍoo'* with my left hand, and Allah helps me." He said, "Where are you going?" He said, "Yemen, to my mother whom I have not seen for so many years." He said, "And you honour your mother too." And he ordered that he be given a servant and five camels from the camels given in charity, and he loaded them up for him.[319]

A man who received a blow (when fighting) for the sake of Allah that left a scar on his face

Whilst the people were taking their allocated stipends from 'Umar, he lifted his head and saw a man who had a scar on his face. He asked him about it, and he told him that he had gotten it during a campaign. He said: "Give him one thousand," and he was given a thousand *dirhams*. Then he said, "Give him one thousand," and the man was given another thousand. He said that four times, and each time he was given a thousand *dirhams*. Then the man got

[318] Muslim, *Kitâb Faḍâ'il aṣ-Ṣaḥâbah*, hadith no. 2542.

[319] *Ash-Shaykhân Abu Bakr wa 'Umar min Riwâyat al-Balâdhuri*, Pp. 174, 175.

embarrassed because of how much he was being given, and he left. 'Umar asked about him and was told, "We saw that he got embarrassed because of how much he was being given, and he left." He said, "By Allah, if he had stayed, we would have kept on giving to him as long as there were any *dirhams* left, a man who received a blow (when fighting) for the sake of Allah that left a scar on his face.[320]

'Umar's wish

It was narrated that 'Umar ibn al-Khaṭṭâb said to his companions: "Make a wish." One of them said, "I wish that this house was filled with gold that I could spend for the sake of Allah and give in charity." Another man said, "I wish that it was filled with chrysolite and jewels that I could spend for the sake of Allah and give in charity." Then 'Umar said, "Make a wish." They said, "We do not know what to say, O' *Ameer al-Mu'mineen.*" He said, "I wish that it was filled with men like Abu 'Ubaydah ibn al-Jarrâh, Mu'âdh ibn Jabal, Sâlim the freed slave of Abu Ḥudhayfah and Ḥudhayfah ibn al-Yamân[321] (may Allah be pleased with them), so that I might employ them in the service of Allah."[322] These were his brothers in faith, and 'Umar described sincere companions as follows: "You should look for sincere companions, for you will be happy with them; they will be a source of pleasure at times of ease and a support at times of calamity. Think positively of your brother until he does something that justifies your keeping away from him, and keep away from your enemy, and beware of your friend except those who are trustworthy, and there is no one who is trustworthy except one who fears Allah.

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[320] *Manâqib 'Umar* by Ibn al-Jawzi, p. 74, its isnad is *ḍa'eef* (weak) because it is interrupted; *Maḥḍ aṣ-Ṣawâb,* 1/368.

[321] Al-Ḥâkim, *al-Mustadrak,* 3/266 - classed as *ṣaḥeeḥ* by adh-Dhahabi; *Aṣḥâb ar-Rasool,* 1/174.

[322] *Tahdheeb al-Kamâl* by al-Mazzi, 5/505; *Ḥudhayfah ibn al-Yamân* by Ibrâheem Muhammad al-'Ali, p. 62.

Do not keep company with an evildoer lest you be influenced by his evil, and do not tell him your secrets. Consult those who fear Allah about your affairs."[323]

'Umar would think of one of his brothers during the night, and he would say, "What a long night it is going to be." Then when he had prayed *Fajr*, he would go to (that person) and when he met him he would embrace him.[324]

And he said: "Were it not that I like to walk for the sake of Allah, and sleep on the ground for the sake of Allah, or sit with people who choose the best words as one chooses the best fruit (i.e., they speak eloquently), I would like to have met Allah (i.e., died)."[325]

In his view good deeds were the criterion for differentiating among people

In 'Umar's view, good deeds were the criterion for differentiating among people. When some of the leaders of Quraysh, led by Suhayl ibn 'Amr ibn al-Ḥârith and Abu Sufiyân ibn Ḥarb, and some former slaves of Quraysh, Ṣuhayb and Bilâl, came to him, he gave the poor freed slaves permission to meet him before he gave permission to the leaders and nobles of Quraysh. The leaders got angry, and Abu Sufiyân said to some of his companions: "I have never seen anything like today. He gives permission to these slaves and leaves us at his door?" Suhayl said, "O' people, by Allah I can see what is in your faces. If you want to be angry then be angry with yourselves. The people were called to Islam and so were you, but they hastened to accept it whilst you stayed behind. So how will you

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[323] *Mukhtaṣar Manhâj al-Qâṣideen*, p. 100; *Farâ'id al-Kalâm*, p. 139.

[324] *Akhbâr 'Umar*, p. 321.

[325] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 225.

be if they are called on the Day of Resurrection and you are left behind?"[326]

'Umar (ﷺ) attended funerals

It was narrated that Abu al-Aswad said: "I came to Madeenah and found that there was a sickness there which caused people to die in droves. I sat with 'Umar ibn al-Khaṭṭâb (ﷺ) and a funeral passed by. People spoke well of the deceased and 'Umar said, 'Yes, indeed.' Then another funeral passed by and people spoke well of the deceased and 'Umar said, 'Yes, indeed.' Then a third funeral passed by and people spoke badly of the deceased and 'Umar said, 'Yes, indeed.' Abu al-Aswad asked, 'What do you mean, O' *Ameer al-Mu'mineen*?' He said, 'I said the same as the Messenger of Allah (ﷺ) said, «'If four people testify in the favour of a Muslim, Allah will admit him to Paradise.' We asked, 'And three?' He said, 'And three.' We again asked, 'And two?' He said, 'And two.' But we did not ask him about one.»"[327]

'Umar and the share of Ḥakeem ibn Ḥizâm (ﷺ)

It was narrated from 'Urwah ibn az-Zubayr that: «"Ḥakeem ibn Ḥizâm said, 'I asked the Messenger of Allah (ﷺ) and he gave me, then I asked him and he gave me, then I asked him and he gave me. Then he said to me, 'O' Ḥakeem, this wealth is fresh and sweet; whoever takes it without hoping for it, it will be blessed for him, but whoever takes it with greed, it will not be blessed for him. He will be like one who eats and is not satisfied. And the upper hand is better than the lower.' Ḥakeem said, 'O' Messenger of Allah, by the One Who sent you with the truth, I will not take money from anyone after

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[326] *Manâqib 'Umar*, p. 129; *Fann al-Ḥukm*, p. 367.

[327] Bukhari, hadith no. 2643; *Musnad Aḥmad*, hadith no. 139; *al-Mawsoo'ah al-Ḥadeethiyah.*

you until I leave this world.' Abu Bakr used to call Ḥakeem to give him (money) and he refused to accept anything from him, then 'Umar called him to give him (money) and he refused to accept anything from him. He said, 'O' Muslims, I offered him his share of this booty that Allah had allocated to him, but Ḥakeem did not take anything from any of the people after the Prophet (ﷺ)'.' "»[328]

'Umar kissing the head of 'Ali (may Allah be pleased with them both)

A man complained about 'Ali to 'Umar, and when 'Umar looked into the matter he said to 'Ali: "Sit down alongside your opponent, O' Abu al-Ḥasan." 'Ali's expression changed, and 'Umar passed judgement concerning the matter, then he said to 'Ali, "Did you get angry, O' Abu al-Ḥasan, because I treated you and your opponent equally?" 'Ali said, "You did not treat me and my opponent equally, O' *Ameer al-Mu'mineen*, because you honoured me and called me Abu al-Ḥasan, using my *kunyah*, but you did not call my opponent by his *kunyah*." 'Umar kissed the head of 'Ali and said, "May Allah not keep me in a land where Abu al-Ḥasan is not there."[329]

Jareer al-Bajali advises 'Umar

It was narrated from 'Âṣim ibn Bahdalah, that one of the companions of 'Umar said: "We were with 'Umar ibn al-Khaṭṭâb, when a man passed wind. The time for prayer came, and 'Umar said, 'I urge the one who passed wind to get up and do *wuḍoo'*.' Jareer ibn 'Abdullâh said, 'O' *Ameer al-Mu'mineen*, tell us all to get up and do *wuḍoo'*, for that is more concealing.' So he did that."[330]

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[328] Bukhari, hadith no. 2974; Muslim, hadith no. 1035.

[329] *'Umar ibn al-Khaṭṭâb*, by Ṣâliḥ 'Abdur-Raḥmân, p. 79.

[330] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 219.

A freed slave proposing marriage to a woman of Quraysh

'Umar (ﷺ) encouraged marriage between tribes as a means of creating friendship between them, until a freed slave proposed marriage to the sister of a man from Quraysh, and the Qurashi man refused the offer. 'Umar intervened and said: "What kept you from marrying your sister to him? He is a righteous man and is bringing to you the best of this world (wealth) and the best of the Hereafter (piety). Give your sister in marriage to him if she agrees." So he gave his sister to him in marriage.[331]

3.1.3. Respect for 'Umar in the society, and his keenness to meet the people's needs

Respect for 'Umar in the society

'Umar had control over people's hearts and minds, and enjoyed a position of respect which kept people's whims and desires in check. The soundest evidence of that was when he dismissed Khâlid ibn al-Waleed when he was at the peak of his fame and had achieved victory in every war, and was respected and admired a great deal. The order of his dismissal came at a time when the people were in the greatest need of him, when they were preparing to fight the Byzantines on the day of al-Yarmuk. Abu 'Ubaydah was appointed in charge of the army, and Khâlid said: "We hear and obey the *Ameer al-Mu'mineen.*" When one of the soldiers suggested that *fitnah* might arise as the result of this change, Khâlid said, "There is no room for *fitnah* so long as 'Umar is in charge."[332] This is indicative of Khâlid's submission to the command of the caliph, although he was a well-loved and successful general, but he gave up that leadership role

[331] *Al-Murtaḍa* by an-Nadawi, p. 106.
[332] Ibid, p. 107.

with humility the like of which has rarely been seen in the history of military leadership. It is also indicative of the authority of 'Umar who was in full control of affairs.[333] He was deeply respected by the people. It was narrated that al-Ḥasan al-Baṣri said:

" 'Umar ibn al-Khaṭṭâb (ﷺ) heard that men were speaking about a woman, so he sent for her. 'Umar was a man who was greatly respected, so when the message reached her, she said, 'What does 'Umar want from me?' She went out, although she had started labour, and when she passed by women they realized what was happening to her. Then she produced a boy who cried once and then died. News of that reached 'Umar, and he gathered the *Muhâjireen* and Anṣâr and consulted them. They said, 'O' *Ameer al-Mu'mineen*, you only wanted to discipline her, and you are in charge.' He said, 'And what do you say, O' So and so?' addressing a man who was at the back of the gathering. He said, 'I say, if the people said what they said to please you, then by Allah they have not been sincere with you. But if that was their honest opinion, then by Allah they are wrong, O' *Ameer al-Mu'mineen*.' He then said, 'I urge you to go ahead and divide the *diyah* among her people.' Al-Ḥasan was asked, 'Who was that man?' He answered, 'Ali ibn Abi Ṭâlib.' "[334]

'Ali, 'Uthmân, Ṭalḥah, az-Zubayr, 'Abdur-Raḥmân and Sa'd (may Allah be pleased with them all) gathered together, and 'Abdur-Raḥmân ibn 'Awf was the most outspoken of them with 'Umar. They said: "O' 'Abdur-Raḥmân, why don't you speak to *Ameer al-Mu'mineen* concerning the people? Sometimes one who is in need comes but his fear of 'Umar prevents him from speaking, and he goes back without having his need met." So he went to him and spoke to him about that, and he said, "O' 'Abdur-Raḥmân, I adjure you by

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[333] *Al-Murtaḍa* by an-Nadawi, p. 107.

[334] *Manâqib 'Umar*, p. 135; *Marâseel al-Ḥasan*; *Maḥḍ aṣ-Ṣawâb*, 1/273.

Allah, did 'Ali, 'Uthmân, Ṭalḥah, az-Zubayr and Sa'd, or some of them, tell you to say this?" He said, "Yes, by Allah." He said, "O' 'Abdur-Raḥmân, by Allah, I was kind to the people until I feared Allah because of being too kind, then I was harsh with then until I feared Allah because of being too harsh. What is the solution?" 'Abdur-Raḥmân got up, weeping and dragging his *izâr*, and gesturing with his hand as if to say, "What a bad state they will be in after you are gone."[335]

It was narrated that 'Umar ibn Murrah said: "A man from Quraysh met 'Umar and said, 'Be kind to us, for you have filled our hearts with awe.' He asked, 'Is there any wrongdoing in that?' He said, 'No.' He said, 'Then may Allah increase me in awe in your hearts.' "[336]

'Abdullâh ibn 'Abbâs said: "For one year I wanted to ask 'Umar about a verse, but I could not ask him because of the awe I felt."[337]

When he saw how much the people respected him, he said: "O' Allah, You know that I fear You more than they fear me."[338]

His keenness to meet people's needs

Ibn 'Abbâs said: "Whenever 'Umar prayed, he would sit and meet with the people, and whoever had some need, he would try to help. Then he offered some prayers after which he did not sit (and meet with people). I came to the door and asked, 'O' Yarfâ', is the *Ameer al-Mu'mineen* ill?' He said, 'No.' Whilst I was like that, 'Uthmân came, and Yarfâ' went in, then he came out to us and said,

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[335] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 220.

[336] *Manâqib 'Umar* by Ibn al-Jawzi, p. 135; *Maḥḍ aṣ-Ṣawâb*, 1/273.

[337] Muslim, *Kitâb aṭ-Ṭalâq*, hadith no. 1479.

[338] *Manâqib 'Umar* by Ibn al-Jawzi, p. 134.

'Get up, O' son of 'Affân, get up, son of 'Abbâs.' So we entered to meet 'Umar, and in front of him was piles of money. He said, 'I looked and I could not find anyone who knows more people in Madeenah than you two. Take this wealth and distribute it among the people. Then if there is anything left over, bring it back.' I knelt down and asked, 'If it is not enough, will you give us more?' He said, 'I already heard that from Akhzam.[339] Compare this with the story of Muhammad (ﷺ) and his Companions eating dried meat.' I said, 'If Allah had bestowed that upon him, he would have done something different from what you are doing.' He asked, 'What would he have done?' I said, 'He would have eaten and fed us.' He wept intensely, and said, 'I wish that I could get out of this affair (being caliph) without any gain or loss.' "[340]

It was narrated that Sa'eed ibn al-Musayyib said: "One of the camels of the booty got injured, so 'Umar (ﷺ) slaughtered it and sent some of the meat to the wives of the Prophet (ﷺ), and cooked the rest. Then he called some of the Muslims to come and eat, among whom was al-'Abbâs ibn 'Abdul-Muṭṭalib. Al-'Abbâs said: "O' *Ameer al-Mu'mineen*, why don't you do this for us every day, so we can eat and chat with you?" 'Umar said, "I will never do it again. My two companions have passed on and they did certain things and followed a certain path. If I do something other than what they did I will end up on a path other than theirs."[341]

It was narrated from Aslam the freed slave of 'Umar that 'Umar appointed a freed slave of his in charge of the *Ḥimâ*[342], and said: "O' Hunayy, do not do any harm to the Muslims and fear the

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[339] *Ash-Shaykhân fee Riwâyat al-Balâdhuri*, p. 221.

[340] Ibid, p. 222.

[341] *Aṭ-Ṭabaqât al-Kubra*, 3/288; *ash-Shaykhân min al-Balâdhuri*, p. 222.

[342] *Ḥimâ*: common land set aside for grazing.

prayer of the one who has been wronged, for it is answered. Only let in those who have sheep that are few in number and weak, and keep out the sheep of Ibn 'Awf and the sheep of Ibn 'Affân, for if their sheep die, they still have their farms and date palms, but if the sheep of one whose flocks are few in number and weak die, he will bring his children to me and will say, 'O' *Ameer al-Mu'mineen*,' and do you think I am going to abandon them? Water and grass are easier for me than gold and silver. By Allah, it is their land; they fought for it during the *Jâhiliyah* and now that they have become Muslim, it is still their land. By the One in Whose hand is my soul, were it not that I need the money to spend it for the sake of Allah, I would not have made any *ḥimâ* in their land, not even a handspan."[343]

It was narrated from Moosa ibn Anas ibn Mâlik that Sireen — the father of Muhammad ibn Sireen — asked Anas for a contract of manumission, as he had a lot of wealth, but he refused. He went to 'Umar, who said: "Give him a contract of manumission," but he refused. 'Umar hit him with his stick, whilst reciting the verse:

﴾And such of your slaves as seek a writing [of emancipation], give them such writing, if you find that there is good and honesty in them.﴿ *(Qur'an 24: 33)*

— then he gave him the contract of manumission.[344]

In this final story, we see a slave seeking his freedom, and a master who refuses to give it to him, and a ruler being fair by implementing the slave's wishes and ignoring the opinion of the master. Where can we find the like of such an action anywhere else in history?[345]

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343 *Târeekh adh-Dhahabi, 'Ahd al-Khulafa' ar-Râshideen*, p. 272.

344 *Maḥḍ aṣ-Ṣawâb*, 3/975.

345 *Shaheed al-Miḥrâb*, p. 222.

3.1.4. Disciplining some leaders of society

During his caliphate, 'Umar (ﷺ) did not allow prominent individuals to control society or to wrong the people or feel superior to them in any way. There follow some examples:

Abu Sufiyân (ﷺ) and his house in Makkah

'Umar came to Makkah and the people of Makkah came rushing to him. They said: "O' *Ameer al-Mu'mineen,* Abu Sufiyân has built a house and has blocked the water, so that now it runs through our houses and will destroy them. 'Umar went, carrying a stick, and found that Abu Sufiyân had set up some stones. He said, "Remove this," and he removed it. Then he said, "And (remove) this and this..." until several stones, five or six, had been removed. Then 'Umar turned to face towards the Ka'bah and said, "Praise be to Allah Who has made 'Umar give orders to Abu Sufiyân in the centre of Makkah and he obeys him."[346]

'Uyaynah ibn Ḥusn and Mâlik ibn Abi Zafar

'Uyaynah ibn Ḥusn visited 'Umar, with whom was Mâlik ibn Abi Zafar, one of the poor Muslims. 'Uyaynah overstepped the mark by saying: "The weak have become strong, the lowly have been raised in status." Mâlik said, "Is this man boasting to us when his ancestors are in Hell?" 'Umar got angry when 'Uyaynah objected to this retaliation and said to him, "Be humble in Islam, for by Allah I will not approve of you until Mâlik intercedes for you." So 'Uyaynah had no alternative but to ask Mâlik to intercede for him with 'Umar.[347]

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[346] *Akhbâr 'Umar,* p. 321; *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 128.

[347] *Târeekh al-Madeenah al-Munawwarah,* by Ibn Shibh, 2/690; *ad-Dawr al-Siyâsi* by aṣ-Ṣafwah, p. 191.

Al-Jarood and 'Ubayy ibn Ka'b (may Allah be pleased with them both)

Al-Jarood came to 'Umar (ﷺ) and a man said: "This is the leader of Rabee'ah." 'Umar started hitting him with his stick and said, "I am afraid that it will affect you (your spiritual well-being)." 'Umar did the same thing with Ubayy ibn Ka'b, when he saw that the people had gathered around him and were asking him questions after he came out of the mosque. He said, "What you are doing is a *fitnah* for the leader and humiliation for the follower."[348]

3.1.5. His denunciation of certain behaviour in society

'Umar (ﷺ) lived his life in accordance with the wise laws of Allah, hence he did not approve of any deviant behaviour or any behaviour that would have a negative impact on the Muslim society. There follow some examples of incidents in which 'Umar brought those who were erring back to the straight path.

The slaughterhouse of az-Zubayr ibn al-'Awâm (ﷺ)

'Umar (ﷺ) used to go to the slaughterhouse of az-Zubayr ibn al-'Awâm, which was the only one in Madeenah, carrying his stick with him. If he saw a man buying meat for two days in a row, he would strike him with the stick and said: "Why don't you do without for the sake of your neighbour and cousin?"[349]

"Now ask for whatever you want"

'Umar (ﷺ) saw a beggar asking people (for charity), with a sack full of foodstuff on his back. He took the food and gave it to the

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348 Op. cit., 2/690; *ad-Dawr as-Siyâsi* by aṣ-Ṣafwah, p. 191.

349 *Ad-Dawr as-Siyâsi* by aṣ-Ṣafwah, p. 231, quoting from *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi.

zakah camels, then he said to him, "Now ask for whatever you want."[350]

"Stop walking like that"

A man came swinging his arms and strutting, and 'Umar said to him: "Stop walking like that." He said, "I cannot." 'Umar whipped him, then he strutted, and he whipped him again and he stopped strutting. 'Umar said, "If I do not whip one like this then who should I whip?" The man came to him after that and said, "May Allah reward you with good; it was nothing but a *Shayṭân* whom Allah sent away through you."[351]

"Do not make our religion dead"

'Umar saw a man who looked as if he was dying because of his asceticism. He hit him with his stick and said: "Do not make our religion dead, may Allah kill you."[352]

It was narrated from ash-Shifa' bint 'Abdullâh that she saw some people who walked slowly and spoke slowly. She said: "Who are these?" They said, "Ascetics." She said, "By Allah, when 'Umar ibn al-Khaṭṭâb spoke, he could be heard, when he walked he walked fast, and when he hit he caused pain, and by Allah, he was a true ascetic."[353]

His concern for the people's health

The caliph 'Umar was concerned about the people's health. He would warn them against the consequences and dangers of being fat, and would advise them to lose weight, because that would give them strength to strive and enable them to fulfil their duties. He used to

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[350] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 101.
[351] *Akhbâr 'Umar*, p. 175.
[352] Ibid, p. 190.
[353] *Ash-Shaykhân min Riwayat al-Balâdhuri*, p. 226.

say: "O' people, beware of eating too much, for it makes you lazy in prayer, is bad for your body and causes sickness. Allah hates the fat man. Rather you should be moderate in your eating, for that is closer to righteousness and farther removed from extravagance, and makes one stronger to worship Allah. No person will be doomed unless he gives precedence to his desires over his religious commitment."[354]

Ibn al-Jawzi stated that 'Umar (ﷺ) saw a man with a huge belly and said: "What is this?" He said, "A blessing from Allah." He said, "Rather it is a punishment from Allah."[355]

With regard to his concern for the good health of the citizens, he used to forbid anyone who had a stomach disease to mix with the people, so as to prevent the spread of disease. He would advise the sick to stay at home until they got better. And it is narrated that he passed by a woman who had leprosy when she was on her way to the Ka'bah. He said to her: "O' female slave of Allah, why don't you stay in your home and not harm the people?" So she stayed home. Later on a man passed by her and said, "The one who told you (not to go out) has died, so go out." She said, "By Allah, I will not obey him whilst he is alive and disobey him when he is dead."[356]
He also used to emphasize the importance of exercise, horsemanship and horseback riding. He used to say: "Teach your children swimming and archery, and train them to be proficient on horseback, and teach them some beautiful poetry."[357]

'Umar's advice to the one who drank wine

'Umar asked about a man from Syria who was very strong (and whom he noticed was absent). It was said to him that he had

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[354] *Al-Khaleefah al-Fârooq* by Dr. 'Abdur-Raḥmân al-'Âni, p. 124.
[355] *Manâqib Ameer al-Mu'mineen*, p. 200.
[356] *Al-Khaleefah al-Fârooq*, p. 124, quoting from *ar-Riyaḍ an-Naḍrah.*
[357] Ibid, p. 125.

persisted in drinking alcohol. He said to his scribe to write:

"From 'Umar ibn al-Khaṭṭâb to So and so. Peace be upon you. I praise Allah beside Whom there is no other god. In the Name of Allah, the most Gracious, the Most Merciful.

﴿*Hâ. Meem.* [These letters are one of the miracles of the Qur'an, and none but Allah (Alone) knows their meanings.] The revelation of the Book [this Qur'an] is from Allah, the All-Mighty, the All-Knower. The Forgiver of sin, the Acceptor of repentance, the Severe in punishment, the Bestower [of favours]. *Lâ ilâha illa Huwa* [none has the right to be worshipped but He], to Him is the final return.﴾

(Qur'an 40: 1-3)"

Then he sealed the letter and said to his messenger, "Do not give it to him except when he is sober." Then he commanded those who were with him to pray for his repentance. When the letter reached the man, he started to read it and said, "My Lord has promised to forgive me, and has warned me of His punishment," and he kept repeating it until he wept. Then he gave up wine and kept away from it. When 'Umar heard of that he said, "This is what you should do. If you see that one of you has slipped, correct him, pray for him and do not help the *Shayṭân* against him (by insulting him, etc.)."[358]

From this attitude we can see the genius in 'Umar's method of disciplining people and his knowledge of human nature and the ways of correcting people. What may benefit one person may harm another. This is an example of successful discipline and kind methods of correction. Despite all his huge responsibilities and preoccupations, the caliph noticed the absence of one who regularly attended his gatherings, and he did not ignore the matter, rather he asked about him so that he could deal with any problem that

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[358] *Tafseer al-Qurṭubi,* 15/256.

might need dealing with. Today a man may be absent and no one notices his brother's absence, let alone asking why he is absent and trying to help if necessary. This carelessness is one of the factors that has led to the collapse of Islamic brotherhood. This is not the way of Muslims who know that they are brothers. Will anyone pay attention? We hope so.[359]

'Umar's opinion on private gatherings

'Umar (ﷺ) was of the view that gatherings should be public and open to all people regardless of any differences in status. He disliked people having private gatherings, because that could lead to them developing different views which may result in the emergence of opposing factions.[360]

Ibn 'Abbâs narrated that 'Umar said to some of Quraysh: "I have heard that you have gatherings. No two people should have a private gathering so that it is said that this person is the companion of So and so. So private gatherings should be avoided. By Allah this is harmful to your religious commitment, harmful to your honour and harmful to the unity between you. I can see that those who come after you will say, 'This is the opinion of So and so,' thus dividing Islam into factions. Make your gatherings open to everyone and sit together, for this will cause the love between you to last and will make you more respected among the people."[361]

Indeed, when the elite keep away from the common people and choose only certain people to sit with, this causes a lot of benefits to be lost, because what is expected of the elite is that they should guide and direct the common people. Their meeting with the people is very beneficial, as it helps to transmit their view in an undistorted

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[359] *Shaheed al-Miḥrâb*, p. 208.

[360] *Al-Khulafa' ar-Râshidoon* by Ḥasan Ayyoob, p. 115.

[361] *Farâ'id al-Kalâm*, p. 116; *Târeekh aṭ-Ṭabari*, 3/281.

manner, free from any kind of contamination. Moreover, having too many different gatherings leads to a lot of opposing views on the issues that are discussed. This is what 'Umar feared for his people and for those who came after.[362]

3.2. His concern with checking on people's conduct in the marketplace (enjoining what is good and forbidding what is evil)

Allah tells us that when He gave power in the land to the Companions of His Prophet (ﷺ), who had been expelled from their homes, they would do four things: establish prayer, pay zakah, enjoin what is good and forbid what is evil. Allah (ﷻ) says:

﴿Those who have been expelled from their homes unjustly only because they said, 'Our Lord is Allah.' For had it not been that Allah checks one set of people by means of another, monasteries, churches, synagogues, and mosques, wherein the Name of Allah is mentioned much would surely, have been pulled down. Verily, Allah will help those who help His [Cause]. Truly, Allah is All-Strong, All-Mighty. Those [Muslim rulers] who, if We give them power in the land, [they] enjoin *Iqâmat aṣ-Ṣalâh* [i.e. to perform the five compulsory congregational *Ṣalâh* (prayers) (the males in mosques)], to pay the Zakah and they enjoin *al-Ma'roof* [i.e. Islamic Monotheism and all that Islam orders one to do], and forbid *al-Munkar* [i.e. disbelief, polytheism and all that Islam has forbidden] [i.e. they make the Qur'an as the law of their country in all the spheres of life]. And with Allah rests the end of [all] matters [of creatures].﴾

(Qur'an 22: 40-41)

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[362] *Al-Khulafa' ar-Râshidoon*, by Ḥasan Ayyoob, p. 115.

Imam Abu Bakr al-Jaṣṣâṣ said in his commentary: "These are the attributes of the *Muhâjireen*, because they are the ones who were expelled from their homes unjustly. Allah states that if He gave them power in the land, they would establish prayer, pay zakah, enjoin what is good and forbid what is evil. This is a description of the Rightly Guided Caliphs to whom Allah gave power in the land, namely Abu Bakr, 'Umar, 'Uthmân and 'Ali (may Allah be pleased with them)."[363]

History bears witness, and it is narrated via the process of *tawâtur*, that 'Umar did these things in the best possible way.[364] He was concerned with the protection and development of the institutions of state serving the financial, judicial and military fields, as well as matters pertaining to the appointment of governors. He strove to make the people adhere to the command of Allah and the commands of His Prophet Muhammad (ﷺ), and he strove to make the people avoid that which has been forbidden by Allah and by His Prophet (ﷺ), using his position as caliph of the Muslims, and through the governors of the provinces in the Muslim state. Ibn Taymiyah (may Allah have mercy on him) said: "The main aim of the governor in any Muslim province is to enjoin what is good and forbid what is evil."[365]

'Umar strove to defend the concept of *Tawḥeed* and to fight against deviation, to establish worship in the Muslim society, to fight evil, and to encourage good.

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[363] *Aḥkâm al-Qur'an*, 3/246.

[364] *Al-Ḥisbah fee al-'Aṣr ar-Râshidi*, by Dr. Faḍl Ilâhi, p. 15.

[365] *Al-Ḥisbah fee al-Islam*, p. 6; *as-Sulṭah at-Tanfeedhiyah*, 1/309.

3.2.1. The concept of *Tawheed* and opposing deviation and innovation

Because one of the aims of establishing an Islamic state is to protect religion, one of the most important things that 'Umar did to achieve this purpose was guarding the fundamentals of Islam by making the people adhere to the pure and sound belief (*'aqeedah*) with which the Messenger of Allah (ﷺ) had left them, and fighting the specious arguments of deviants and the plots of the enemies of Islam who propagated deviant beliefs and myths which the *Shayṭân* made attractive to them so that they thought that they were doing well. There follow some examples of how 'Umar guarded the concept of *Tawheed* and strove against deviation:

The "Brides of the Nile"

'Amr ibn al-'Âṣ wrote to 'Umar telling him about an Egyptian custom whereby the people threw a young girl into the river every year. They said to him: "O' Governor, this Nile of our will not flow otherwise." He asked, "What do you mean?" They said, "When it is the twelfth of this month, we look for a virgin girl who is still with her parents, and we make a deal with her parents. Then we dress her in the finest jewellery and clothes, and throw her into this Nile." 'Amr said to them, "This cannot be allowed in Islam, for Islam erases what came before it." For a while, the Nile did not flow at all, and the people thought of migrating. Then 'Amr wrote to 'Umar ibn al-Khaṭṭâb and told him of that. He wrote back saying, "You have done the right thing. I have sent you a piece of paper in this letter; throw it into the Nile." When his letter came, 'Amr took out the piece of paper, on which was written: "From the slave of Allah and *Ameer al-Mu'mineen* to the Nile of the people of Egypt. If the decision of flowing is up to you, then do not flow, for we have no need of you. But if you flow by the command of Allah, the One, the Subduer, Who is the One Who makes you flow, then we ask Allah to make you

flow." He threw the piece of paper into the Nile and when they woke up on Saturday, they found that Allah had caused the Nile to flow to a depth of sixteen cubits in a single night. Thus Allah put an end to this evil custom of the Egyptians.[366]

'Umar explained the meaning of *Tawḥeed* in this piece of paper and stated that the Nile only flowed by the will and decree of Allah. He proved to the people the falseness of their belief, which was deeply rooted in their hearts. Through his wise actions he eradicated this belief from the hearts of the Egyptians.[367]

"You are just a stone; you do not cause harm or bring benefit"

It was narrated from 'Âbis ibn Rabee'ah that 'Umar (ﷺ) came to the Black Stone and kissed it, then he said: «"I know that you are just a stone; you do not cause harm or bring benefit. If I had not seen the Prophet kiss you, I would not have kissed you."»[368] This is following (the Sunnah) in the best sense.[369] Ibn Ḥajar said that aṭ-Ṭabari said: " 'Umar (may Allah be pleased with him) only said that because the people had only recently given up idol worship, and he was afraid that the ignorant might think that acknowledging the stone was a kind of veneration of stones, which is what the Arabs used to do during the *Jâhiliyah*. 'Umar wanted it to be known that acknowledging the stone was following the action of the Prophet (ﷺ)." Then Ibn Ḥajar said: "These words of 'Umar represent submission to the Lawgiver in matters of religion, and following (the Sunnah) in the proper manner where the reason is not explained, which is an important principle in following the Prophet (Blessings and peace be upon him) in matters where one does not know the

[366] *Al-Bidâyah wa an-Nihâyah*, 7/102-103. 'Ali aṭ-Ṭanṭâwi said: We have published it because it is so well known, not because it is *ṣaḥeeḥ*.

[367] *Fann al-Ḥukm*, p. 347.

[368] Bukhari, hadith no. 1597.

[369] *Aṣḥâb ar-Rasool*, 1/161.

wisdom behind it."[370] This attitude — following the Sunnah and being eager to do so — is one of the factors in the success of the *Ṣaḥâbah*. They knew that it was essential to follow the Sunnah so that Allah would grant them help and support.[371]

Cutting down the tree of ar-Riḍwân

Ibn Sa'd narrated with a *ṣaḥeeḥ* isnad from Nâfi' that 'Umar heard that some people were going to the tree of ar-Riḍwân and praying there. He warned them, then he ordered that it be cut down, and it was cut down.[372]

This was 'Umar's attitude in defending *Tawḥeed* and eradicating the causes of *fitnah* when those *Tâbi'een* did something that the *Ṣaḥâbah* had never done. This was an innovation which may have led to them worshipping that tree later on, so he ordered that it be cut down.[373]

The grave of Prophet Daniel (ﷺ)

When the grave of Prophet Daniel (ﷺ) was discovered in Tastar, Abu Moosa wrote to 'Umar ibn al-Khaṭṭâb about it. 'Umar wrote back telling him: "Dig up thirteen graves during the day, then bury him in one of them during the night and raze his grave, lest the people be tempted or confused by that."[374]

"Do you want to take the places where your Prophet went as places of worship?"

It is narrated with a *ṣaḥeeḥ* isnad that 'Umar ibn al-Khaṭṭâb (ﷺ) was on a journey and he saw people frequenting a place and praying there. He asked: "What is this?" They said, "A place where

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[370] *Fatḥ al-Bâri*, 3/590, 591.

[371] *Min Akhlâq an-Naṣr fee Jeel aṣ-Ṣaḥâbah*, p. 23.

[372] *At-Târeekh al-Islâmi*, 19, 20/160; *Ṭabaqât Ibn Sa'd*, 2/100.

[373] Ibid, 19, 20/260.

[374] *Al-Fatâwa*, 15/90.

the Messenger of Allah prayed." He said, "Those who came before you were destroyed because of this. They took the places where their Prophets went as places of worship. If a person is there when the time for prayer comes, let him pray, otherwise let him move on."[375]

"I want them to know that Allah is the One Who does what He will"

When 'Umar dismissed Khâlid ibn al-Waleed from the leadership of the army in Syria, there was no reason for that other than the general interests of the ummah. 'Umar was afraid that the people were too attached to Khâlid and believed that victory was connected to Khâlid's blessing and military expertise, and that they would put their trust in that. He wanted them to know that Allah is the One Who grants victory and that He does whatever He will. So he issued his command to dismiss him, and confirmed that in a letter in which he explained his decision, and he sent copies of this letter to all his governors, striving to reinforce the concept of *Tawḥeed*. In this letter he said: "I am not dismissing Khâlid out of anger or betrayal, rather the people have become confused because of him[376], and I want them to know that Allah is the One Who does what He will."[377]

"Those who put their trust in Allah are those who sow seed in the ground"

It was narrated from Mu'âwiyah ibn Qarrah that 'Umar ibn al-Khaṭṭâb (ﷺ) met some people from Yemen and asked: "Who are you?" They said, "We are *al-mutawakkiloon* (those who put their trust in Allah). He said, "No, you are *al-muttakiloon* (those who expect others to do things for you). Those who put their trust in Allah

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[375] *Al-Fatâwa*, 10/235.

[376] i.e., because they were starting to attribute victory to him and not to Allah. [Translator]

[377] *Al-Bidâyah wa an-Nihâyah*, 7/82.

are those who sow seed in the ground and put their trust in Allah.'"[378]

"We follow and do not innovate"

'Umar ibn al-Khaṭṭâb said on the *minbar*: "Those who follow their own personal views and opinions are the enemies of Sunnah. They failed to memorize hadith so they give *fatwas* based on their own opinions. They have gone astray and led others astray. But we are those who follow and do not innovate. We will not go astray so long as we adhere to the Sunnah."

It was narrated from 'Amr ibn Maymoon that his father said: "A man came to 'Umar ibn al-Khaṭṭâb and said, 'O' *Ameer al-Mu'mineen*, when we conquered al-Madâ'in we found a book in which were some amazing words.' He said, 'From the Book of Allah?' He said, 'No.' He called for his stick and started hitting him with it and reciting the words:

﴾*Alif-Lâm-Râ.* [These letters are one of the miracles of the Qur'an, and none but Allah (Alone) knows their meanings.] These are the Verses of the Clear Book [the Qur'an that makes clear the legal and illegal things, legal laws, a guidance and a blessing]. Verily, We have sent it down as an Arabic Qur'an in order that you may understand. We relate unto you [Muhammad] the best of stories through Our Revelations unto you, of this Qur'an. And before this [i.e. before the coming of Divine Revelation to you], you were among those who knew nothing about it [the Qur'an].﴿ *(Qur'an 12: 1-3)*

Then he said, 'Those who came before you were destroyed because they turned to the books of their scholars and bishops, and ignored the Torah and Gospel, until they were neglected and the knowledge in them was lost.'"[379]

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[378] *Aṣḥâb ar-Rasool*, its isnad is *ṣaḥeeḥ* (1/164).

[379] There is some weakness in this report because of interruptions in its=

It was narrated that Aslam said: "I heard 'Umar ibn al-Khaṭṭâb (ﷺ) say, 'Why do we run fast (in *ṭawâf* and *sâ'i*) now? Despite that we will not give up something that we used to do at the time of the Messenger of Allah (ﷺ).' "[380]

It was narrated from al-Ḥasan al-Baṣri that 'Imrân ibn Ḥuṣayn (ﷺ) entered *iḥrâm* from Baṣra and came to 'Umar, who spoke harshly to him and told him not to do that, and said: "Do you want the people to say that a man from among the Companions of the Prophet (ﷺ) entered *iḥrâm* from one of the regions?"[381]

It was narrated that Abu Wâ'il[382] said: "I was sitting on the chair of Shaybah ibn 'Uthmân[383] at the Ka'bah, and he said, " 'Umar sat here and said, 'I thought of not leaving any gold or silver without sharing it out.' I said, You would not do that.' He asked, 'Why not?' I said, 'Your two companions did not do that.' He said, 'They are the two men whose example I should follow.' "[384]

There follow some examples of how 'Umar sought to preserve the concept of *Tawḥeed* and fight against innovation. He understood *Tawḥeed* as taught by Islam and acted in accordance with it. He was keen to eradicate all traces of idolatry from people's hearts and souls, and he established the pillars of *Tawḥeed* in human consciousness.[385] 'Umar strove to instill faith, with all its pillars, deeply in Muslim society and strove against *shirk* in all its types and subtle forms. He

=isnad. *Manâqib 'Umar* by Ibn al-Jawzi, p. 23. There are other isnads which strengthen it.

380 *Maḥḍ aṣ-Ṣawâb*, 2/532.

381 Ibid.

382 i.e., Shaqeeq ibn Salamah.

383 Shaybah ibn 'Uthmân ibn Abi Ṭalḥah al-Qurashi al-'Abdari, the doorkeeper of the Ka'bah.

384 *Maḥḍ aṣ-Ṣawâb*, 2/537; its isnad is *ṣaḥeeḥ*.

385 *Ashhar Mashâheer al-Islâm* by Rafeeq al-'Adhm, 2/256, 257.

strove against innovation and followed the Messenger of Allah (ﷺ) in his words and deeds. These principles form part of knowing the causes of victory which 'Umar understood and lived by in this world.

3.2.2. His concern with different aspects of worship

'Umar understood from the Book of Allah and the Sunnah of His Messenger (ﷺ) that all issues of religion come under the heading of worship and religion is the way established by Allah to cover all aspects of life and organize all its affairs, from the etiquette of eating, drinking and relieving oneself to the establishment of the state, rulership, financial policies, interactions, punishments and international relations in peacetime and wartime. He understood that the rituals of worship, such as prayer, fasting, zakah and Ḥajj, have an important status, but that is not the full picture of worship, rather that is just a part of the worship that Allah wants.[386] The implementation of this concept of worship in this world is one of the conditions of being given power in the land. Worship also plays an important role in people's lives by strengthening their beliefs and establishing moral values, as well as reforming society. There follow some examples of 'Umar's concern with the rituals of prayer, zakah, ḥajj, fasting and *dhikr*, and his eagerness to fulfil the meanings of worship in himself and in the Muslim society.

Prayer

The Prophet (ﷺ) used to enjoin the Muslims to pray and he emphatically denounced those who did not attend prayers in congregation. Abu Bakr followed his example, and when 'Umar became caliph he paid attention to the matter of prayer and made them pray, and punished those who did not pray. He wrote to his

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[386] *Fiqh at-Tamkeen fee al-Qur'an al-Kareem* by aṣ-Ṣallâbi, p. 181.

governors saying: "One of the most important issues in my view is the prayer. Whoever prays regularly and takes care of the matter and focuses in prayer has protected his religious commitment and is doing well, but whoever neglects it is more likely to neglect other religious obligations too."[387]

He was very keen on proper focus and humility (*khushoo'*) in prayer. It was narrated that 'Abdullâh ibn 'Umar (ﷺ) said: "I prayed behind 'Umar, and I could hear his weeping from three rows back."[388] According to another report, he recited,

﴾...I only complain of my grief and sorrow to Allah...﴿ *(Qur'an 12: 86)* — in *Fajr* prayer, and wept until his sobbing could be heard in the last row.[389]

He said to one who fidgeted during the prayer: "If one's heart was properly focused, his limbs would be too."[390] If news from the army was delayed, he would pray *Qunoot*[391], and he would pray for the *Mujâhideen* in his prayer and would pray *Qunoot* for them. When he fought the People of the Book, he would pray *Qunoot* against them in the obligatory prayers.[392] He would train the people and himself to pay attention to the matter of prayer, both obligatory and Sunnah prayers, and he would teach the people to follow the Sunnah and warn them against innovation. When he was late for *Maghrib* prayer because of something that kept him busy until the stars came out, he freed two slaves after the prayer.[393] He thought that joining

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[387] *Al-Fatâwa*, 10/249; *al-Muwaṭṭa' ma'a Sharḥihi Awjâz al-Masâlik*, 1/154.
[388] *Ḥilyah al-Awliya'*, 1/52.
[389] *Al-Fatâwa*, 10/374.
[390] Ibid, 18/154.
[391] Ibid, 23/62.
[392] Ibid, 21/91.
[393] *At-Târeekh al-Islâmi* by al-Ḥameedi, 19, 20/42, quoting from *Târeekh Dimashq*.

two prayers with no excuse was a major sin, and he would rebuke those who prayed after *'Aṣr.*[394]

He would rebuke those who came late for *Jumu'ah* prayer. It was narrated from Sâlim ibn 'Abdullâh and from 'Abdullâh ibn 'Umar that whilst 'Umar ibn al-Khaṭṭâb was standing delivering the *khuṭbah* one Friday, a man from among the earliest *Muhâjireen*, one of the Companions of the Prophet (ﷺ), came in. 'Umar called out to him: "What time is it?" He said, "I was busy then I came home until I heard the *adhân*. As soon as I heard it, I did *wuḍoo'*." 'Umar said, "Only *wuḍoo'*? I know that the Messenger of Allah (ﷺ) used to enjoin *ghusl*."[395]

'Umar forbade the raising of voices in the mosque. It was narrated that as-Sâ'ib ibn Yazeed said: "I was standing in the mosque and a man threw stones at me. I looked and saw 'Umar ibn al-Khaṭṭâb. He said, 'Go and bring those two men to me.' So I brought them and he said, 'Who are you (or where are you from)?' They said, 'We are from aṭ-Ṭâ'if.' He said, 'If you had been locals I would have beaten you severely for raising your voices in the mosque of the Messenger of Allah (ﷺ).' "[396]

'Umar used to respect the commands of the Messenger of Allah (ﷺ). It was narrated that 'Abdullâh ibn 'Umar said: "The Messenger of Allah (ﷺ) said, «'If the wife of any one of you asks permission to go to the mosque, do not forbid her.'» He said, 'The wife of 'Umar ibn al-Khaṭṭâb used to pray in the mosque and he said to her, 'You know what I like.' She said, 'By Allah, I will not stop unless you forbid me'.' He said, 'When 'Umar was stabbed, she was

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[394] *Al-Fatâwa*, 21/98, 22/23.

[395] *Al-Fatḥ*, 2/415, 430; *al-Khilâfah ar-Râshidah*, p. 294, by Dr. Yaḥya al-Yaḥya.

[396] *Al-Fatḥ*, 1/668.

in the mosque.' "[397] This report indicates that 'Umar (ﷺ) respected the commands of shari'ah and adhered to the Book of Allah and the Sunnah of His Messenger (ﷺ), because he gave precedence to that over what he himself preferred.[398]

'Umar loved to pray in the middle of the night, and he would pray as much as Allah willed, then at the end of the night he would wake his family and say, "Prayer, prayer!" and recite this verse:

﴾And enjoin *aṣ-Ṣalâh* [the prayer] on your family, and be patient in offering them [i.e. the *Ṣalâh* (prayers)]. We ask not of you a provision [i.e. to give Us something: money]: We provide for you. And the good end [i.e. Paradise] is for the *Muttaqoon* [the pious].﴿
(Qur'an 20: 132)[399]

One night he prayed *qiyâm* and felt very distressed thinking about the people. He could not pray and he could not go to sleep, so he said: "By Allah, I cannot pray and I cannot sleep. I start reciting and I do not know if I am at the beginning of the recitation or at the end." When he was asked, "Why is that, O' *Ameer al-Mu'mineen*?" he said, "Because of my worrying about the people."[400]

He would make up what he missed of *qiyâm al-layl* the next day. He narrated that the Prophet (ﷺ) said: «"Whoever missed anything of his wird at night, and recites it between *Fajr* and *Dhuhr*, it will be as if he recited it at night."»[401]

He wished that he could be a *mu'adh-dhin*, and said: "If I were able to give the *adhân* as well as be the caliph, I would do so."[402]

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[397] Bukhari, hadith no. 865.

[398] *At-Târeekh al-Islâmi*, 19, 20/40.

[399] *Maḥḍ aṣ-Ṣawâb*, 2/635; its isnad is *ḍa'eef.*

[400] *Al-Fârooq 'Umar* by ash-Sharqâwi, p. 214.

[401] Muslim, hadith no. 747.

[402] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 225.

He made *du'â'* and beseeched Allah a great deal. One of the things he said in his *du'â'* was: "O' Allah, make all my deeds righteous and make them purely for Your sake, and do not let me associate anyone else with You in them."[403]

Another of his *du'â'* was: "O' Allah, if You have decreed that I am doomed, erase it and decree that I be blessed, for You erase and affirm whatever You will."[404] And he used to say: "I am not worried about a response, I am worried about making *du'â'*. If I am inspired to make *du'â'* then the response will come with it."[405]

He would encourage people to be close to those who were obedient and he would say: "Get close to those who are obedient and listen to what they say, for they have a clear vision of things."[406]

'Umar (ﷺ) loved to be reminded of Allah, and he would say to Abu Moosa al-Ash'ari (ﷺ): "O' Abu Moosa, remind us of our Lord," so he would recite and 'Umar and those who were with him would listen and weep.[407]

He loved to sit with the people of *dhikr*. It was narrated that Abu Sa'eed, the freed slave of Abu Usayd, said: " 'Umar used to check in the mosque after *'Isha'*, and if he saw someone he would make him leave, unless the man was standing and praying. Then he passed by a group of the Companions of the Messenger of Allah (ﷺ), among whom was Ubayy ibn Ka'b, and he asked: "Who are these?" He said, "A group of your people, O' *Ameer al-Mu'mineen*." He said, "What kept you after the prayer?" They said, "We sat to remember Allah." So he sat with them, then he said to the one who

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403 *Al-Fatâwa*, 1/232.
404 Ibid, 14/275.
405 Ibid, 8/118.
406 Ibid, 15/60.
407 Ibid, 10/51.

was closest to him, "Start making *du'â'*." So he made *du'â'*, and he asked them to do that, one by one, until he came to me, and I was next to him. He said, "Come on," and I did not know what to say and I started trembling. He said, "Speak, even if you only say, O' Allah forgive us, O' Allah have mercy on us." Then 'Umar started to make *du'â'* and no one shed more tears or wept more than him. Then he said, "Now depart."[408]

Tarâweeḥ

The first one who gathered the people to pray *Tarâweeḥ* was 'Umar ibn al-Khaṭṭâb (ﷺ), and he wrote to the other regions telling them to do likewise. The reason for that was that 'Umar came out to the mosque one night in Ramaḍân and he saw the people in scattered groups, one man praying by himself and a group of men following one man in prayer. 'Umar said: "I think that if I unite them behind one reader it will be better." Then he decided to unite them behind Ubayy ibn Ka'b. The narrator, 'Abdur-Raḥmân ibn 'Abdul-Qâri, said: "Then I went out with him one night and the people were praying behind their reader. 'Umar said, 'What a good innovation this is, but the prayer that they sleep and miss is better than what they are doing' — meaning at the end of the night, because the people used to pray *qiyâm* at the beginning of the night."[409]

No one should think that *Tarâweeḥ* was introduced by 'Umar, or that he was the first one to introduce it. Rather it was introduced at the time of the Prophet (ﷺ), but 'Umar was the first one to unite the people behind a single reader, because they used to pray by themselves, but he united them behind a single reader.[410]

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[408] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 236.

[409] Bukhari, hadith no. 2010.

[410] *Mahḍ aṣ-Ṣawâb*, 1/349.

As for the evidence that its origins lay in the teaching of the Prophet (ﷺ) — he (ﷺ) used to urge the people to pray *qiyâm* during the month of Ramaḍân and he said: "Whoever spends the nights of Ramaḍân in prayer out of faith and in the hope of reward, his previous sins will be forgiven him."[411]

It was narrated from 'Urwah ibn az-Zubayr that:

"«'Â'ishah (ﷺ) told him that the Messenger of Allah (ﷺ) went out one night in the middle of the night, and prayed in the mosque, and some men followed his prayer. The next day the people started talking about that, and more people gathered and prayed with him (that night). The next day, word spread further and there were more people in the mosque on the third night. The Messenger of Allah (ﷺ) came out and the people followed his prayer. On the fourth night, there were so many people that the mosque could not hold them all, but he did not come out until it was time for *Fajr* prayer. After he had finished praying *Fajr*, he turned to the people and bore witness (that there is no god but Allah), then he said, 'I appreciate what you did, but I was afraid that it may be made obligatory for you and you would not be able to do it.' Then the Messenger of Allah (ﷺ) died when that was still the situation.»"[412]

As for 'Umar's saying, "What a good innovation this is," he called it an innovation (*bid'ah*) but that was *bid'ah* in the linguistic sense, because everything that is done without precedent is called a *bid'ah* in Arabic.[413] What 'Umar did, uniting the people behind one Imam in *Tarâweeḥ* prayer and issuing instructions to the provinces to do the same, is indicative of his love and keenness for organization.

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[411] Bukhari, hadith no. 2009.

[412] Ibid, hadith no. 2012.

[413] *Al-Fatâwa*, 31/23.

Zakah, Ḥajj and Ramaḍân

'Umar was concerned with zakah and the organization of this obligatory duty, which became one of the sources of the state's income. We will discuss this duty when we speak of the financial institutions *insha' Allâh.*

With regard to Ḥajj, 'Umar used to do Ḥajj with the people throughout his caliphate. It was said that 'Umar did Ḥajj for ten years — i.e., throughout the duration of his entire caliphate — or that he did Ḥajj for nine years thereof.[414] Among the duties of the caliph or those whom he appoints as his representatives in other provinces are the following:

- Making the people aware of the time for Ḥajj and going out to the holy places
- Teaching them the rituals according to shari'ah
- Leading the rituals of Ḥajj as prescribed
- Leading them in the prayers and delivering the *khuṭbahs* prescribed in shari'ah.[415]

'Umar (ﷺ) encouraged the people to do Ḥajj and enjoined that upon them. He said: "I thought of sending men to these regions to see if there was anyone who could afford it but had not done Ḥajj, then they could impose the *jizyah* on them."[416]

And he strove hard to ensure that there would be people around the Ka'bah at times other than the months of Ḥajj, because at the time of Abu Bakr, the people would frequent the Ka'bah during the months of Ḥajj and then forsake it for the rest of the year, and they

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414 *As-Sulṭah at-Tanfeedhiyah*, 1/382.
415 Ibid, 1/383.
416 *Farâ'id al-Kalâm*, p. 173.

did not come from their regions to do 'Umrah. So the Ka'bah became devoid of people from the regions throughout the year. So 'Umar enjoined them to do that which was better for them, by doing 'Umrah at times other than the months of Ḥajj. Thus the Ka'bah became frequented and visited during the months of Ḥajj and during other months. What 'Umar chose for them was better, even according to those who say that *tamattu'* is better than *ifrâd* and *qirân*, such as Imam Aḥmad and others.[417] It is narrated that he used to donate the cover of the Ka'bah every year and divide it among the pilgrims.[418]

With regard to fasting, 'Umar followed the method of the Messenger of Allah (ﷺ). It was proven that he broke his fast on a cloudy day, then the sun came out and 'Umar said: "It is not serious and we did our best to work it out."[419]

When 'Umar (رضي الله عنه) heard that a man was fasting for a lifetime (*ad-dahr* — i.e., every single day), he started saying, "Eat, O' *Dahri*."[420]

He used to strive very hard in worship; he prayed a great deal and fasted a great deal, especially at the end of his life. He gave a great deal of charity and when he became caliph he did Ḥajj every year. In jihad he fought alongside the Prophet (ﷺ) in all the major battles, and he fought after he died. He will have the reward for all the battles and campaigns that took place during his caliphate, because he was the one who set them in motion.[421]

He was also one of the people of *dhikr*. It was narrated that he said: "You must remember Allah, for *dhikr* is a healing; and beware

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417 *Al-Fatâwa*, 26/146, 147.

418 Ibid, 31/14.

419 *Al-Muwaṭṭa'*, 1/303; quoting from *al-Khilâfah ar-Râshidah*, p. 330.

420 *Al-Fatḥ*, 4/261.

421 *Maḥḍ aṣ-Ṣawâb*, 2/367.

of mentioning people in their absence, for it is a disease."[422] And he used to say: "Take your share of isolation."[423]

3.2.3. His concern with markets and trade

'Umar was keen to check on those who were dealing in the markets and to make them do their dealings in accordance with shari'ah. He would appoint someone else in charge of the market. 'Umar appointed as-Sâ'ib ibn Yazeed (ﷺ) in charge of the market of Madeenah, and 'Abdullâh ibn 'Utbah ibn Mas'ood and others.[424] The researcher will notice that the system of *ḥisbah* (checking on the market) in the Islamic state developed in accordance with the principles of shari'ah and developed alongside the Muslim society until it became one of the public offices of Islam, with conditions that must be fulfilled by the one who holds this post, conditions which must be met by the one who is to be checked and conditions which must be met in the types of business to be checked.[425]

It is known that 'Umar (ﷺ) was deeply concerned with accountability in the marketplace. He used to walk around in the market, carrying his stick with which he would discipline anyone who deserved that. It was narrated that Anas ibn Mâlik (ﷺ) said: "I saw 'Umar wearing an *izâr* with fourteen patches, some of which were of leather, and he was not wearing a shirt or cloak; he was wearing a turban and carrying his stick, walking around in the market of Madeenah."[426] Al-Ḥâfidh adh-Dhahabi narrated that Qatâdah said: "When 'Umar was caliph, he used to wear a *jubbah* which was

[422] *Tafseer al-Qurṭubi*, 16/336; *Maḥḍ aṣ-Ṣawâb*, 2/677.
[423] *Az-Zuhd* by Wakee', 2/517; its isnad is *ṣaḥeeḥ*.
[424] *Al-Sulṭah at-Tanfeedhiyah*, 1/408.
[425] *Ar-Riqâbah al-Mâliyah fee al-Islâm*, by Dr. 'Awf al-Kafrâwi, p. 66.
[426] *Aṭ-Ṭabaqât al-Kubra*, 3/330.

patched, and some of the patches were leather. He would go around in the market with a stick on his shoulder, with which he would discipline the people."[427]

Imam Muslim narrated that Mâlik ibn Aws ibn al-Ḥadathân said: "I went around in the market saying, 'Who has *dirhams* for exchange?' Ṭalḥah ibn 'Ubaydullâh (ﷺ), who was with 'Umar ibn al-Khaṭṭâb (ﷺ) said, 'Show us your gold, then come later when our servants are here and we will give you your silver.' 'Umar ibn al-Khaṭṭâb (ﷺ) said, 'No; by Allah you will give him his silver now or you will return his gold to him, for the Messenger of Allah (ﷺ) said, «'Silver for silver is *riba* unless it is exchanged hand to hand, gold for gold is *riba* unless it is exchanged hand to hand, wheat for wheat is *riba* unless it is exchanged hand to hand; barley for barley is *riba* unless it is exchanged hand to hand, dates for dates is *riba* unless they are exchanged hand to hand.'»' "[428]

One day 'Umar saw a man who had diluted milk with water to sell it, so he spilled it out.[429]

'Umar prevented hoarding in the Muslim markets. He asked Ḥâṭib ibn Abi Balta'ah: "How do you sell, O' Ḥâṭib?" He said, "Two *mudds* (for one *dirham*)." He said, "You go and buy (from incoming merchants) at out gates, courtyards and markets, and you take it away from us and sell it however you wish. Sell a *ṣâ'* (for one *dirham* — a *ṣâ'* equals four *mudds*) — otherwise do not come to our market; go and travel in the land and bring what you want, then sell as you wish."[430]

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[427] *Târeekh al-Islâm, 'Ahd ar-Râshideen*, p. 268.

[428] Muslim, hadith no. 1586.

[429] *Al-Ḥisbah fee al-Islâm* by Ibn Taymiyah, p. 60; *al-Ḥisbah* by Dr. Faḍl Ilâhi, p. 24.

[430] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, by Qal'aji, p. 28.

One day 'Umar went out to the marketplace and saw some people hoarding because they had extra gold. 'Umar said, "Not even for an instant. Allah sends us provision, then when it comes to our marketplace some people hoard it because they have extra gold, and keep it from widows and orphans, then when the importers have left, they sell it according to what they decide. But anyone who brings goods to the marketplace winter and summer is a guest of 'Umar; let him sell whatever he wants and keep whatever he wants."

It was narrated that Muslim ibn Jundub said: "Some foodstuff came to Madeenah and the people of the market went to buy it. 'Umar said to them, 'Do you want to do business in our market? Then you must either let other people take part in this, or go out and buy it then come and sell it.' "[431]

'Umar did not limit his ban to the hoarding of food for people and animals, rather he applied that to everything by the unavailability of which people may be harmed. Mâlik narrated in *al-Muwaṭṭa'* that 'Umar ibn al-Khaṭṭâb said: "There is to be no hoarding in our marketplace. No rich people should hoard the provision of Allah that has come to our market and keep it from us. But anyone who brings goods to the marketplace winter and summer is a guest of 'Umar; let him sell whatever he wants and keep whatever he wants."[432]

The texts mentioned above show that the reason for hoarding is so that one can control the prices, which adversely affects the poor, widows and orphans. This is clear from what 'Umar said to Ḥâṭib ibn Abi Balta'ah — who used to sell two *mudds* for one *dirham*: "You go and buy (from incoming merchants) at out gates, courtyards and markets, and you take it away from us and sell it however you wish. Sell a *ṣâ'* (for one *dirham* — a *ṣâ'* equals four *mudds*)." And he said

[431] *Mawsoo'at Fiqh 'Umar*, p. 28.
[432] Ibid, p. 29.

to the people in the marketplace who hoarded goods: "Allah sends us provision, then when it comes to our marketplace some people hoard it because they have extra gold, and keep it from widows and orphans, then when the importers have left, they sell it according to what they decide." He rebuked them sternly for that.[433]

'Umar would intervene to impose a suitable price for essential commodities, when such intervention was necessary to protect the consumers and merchants. A man brought some olive oil which he began to sell in the market for a price other than that which people usually paid. 'Umar said to him: "Either sell it at the market price or leave our market, for we will not force you to stick to a price." And he made him leave.[434]

Obliging merchants to know what is ḥalâl and ḥarâm in buying and selling

'Umar (ﷺ) would beat with his stick anyone who sat in the market and did not know the rulings. He said: "No one should sit in our market who does not know what *riba* is."[435] He would walk around in the market and hit some merchants with his stick and say: "No one who should sell in our marketplace except one who has understanding of the rules of Islam, otherwise he is going to consume *riba* whether he wants to or not."[436]

No aspect of running the state took more of 'Umar's attention at the expense of another, for the ruler should not lose balance. 'Umar set out guidelines for the merchants which were suited to the market, to regulate exchanges and guarantee stability in the market. There

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[433] Op. cit., p. 29.

[434] *Târeekh al-Madeenah al-Munawwarah*, 2/749; *Mawsoo'at Fiqh 'Umar*, p. 177.

[435] *Nidhâm al-Ḥukoomah al-Islâmiyah* by al-Katâni, 2/17.

[436] Ibid.

were to be no bad deals, cheating or hoarding, no black market and no ignorance of what is and is not permitted in the world of trade. He issued a brief and comprehensive decree that put an end to all corruption and regulated everything: "Whoever does not have an understanding of the rules of Islam should not deal in our market."[437]

This is akin to the issuing of laws nowadays, such as the rule that no one should undertake a certain job unless he has a certificate or licence in such and such a field.[438] States nowadays organize and supervise the markets by setting up chambers of commerce and the like to regulate the marketplace and put the public's mind at rest. 'Umar had the distinction of being the first to do that; he did not leave the marketplace in chaos, rather he appointed supervisors to watch over it and keep it in order. He appointed Sulaymân ibn Ḥathamah in charge of the markets; he appointed as-Sâ'ib ibn Yazeed as his agent in charge of the market of Madeenah, along with 'Abdullâh ibn 'Utbah ibn Mas'ood. So there was a supervisor in charge of all markets, then each market had its own supervisor. It is certain that this attention to the organization of markets played a great role in relieving people of a great deal of hardship in getting what they needed. If the ruler pays due attention to this matter, he will be rewarded by Allah. 'Umar's good actions prove that Islam is suited to all times and all places throughout the world; it motivates backward nations to advance and keeps advanced nations from declining and collapsing. It does not block the way for those who want to advance and it does not leave the negligent to get carried away in their negligence.[439]

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[437] *Shaheed al-Miḥrâb*, p. 209.

[438] Ibid.

[439] Ibid, p. 210.

'Umar commands the people to work hard and encourages them to earn a living

'Umar used to urge the people to work hard and earn a living. It was narrated from Muhammad ibn Sireen that his father said: "I attended *Maghrib* with 'Umar ibn al-Khaṭṭâb. He came to me and I had a small pile of clothes. He asked, 'What is this you have?' I said, 'Some clothes. I come to this market and buy and sell.' He said, 'O' Quraysh, do not let this one and others like him control trade, for it is one-third of leadership.'"

It was also narrated that al-Ḥasan said that 'Umar said:

"Whoever tries to trade in something three times and cannot make any money out of it, let him move on to something else."[440]

'Umar said: "Learn a profession, for soon one of you will need a profession." [441]

And he said: "Were it not for this buying and selling, you would soon become dependent on people."[442]

And he said: "Earning in which there is some menial work is better than begging from people."[443]

And he said: "If one of you wants to buy a camel, let him choose one that is big and fat. Then if he does not benefit from it, he can still sell it and make a profit."

And he said: "O' poor people, lift up your heads and engage in trade, for the way is clear, and do not be dependent on people."[444]

And he also said: "No one of you should refrain from earning a living and say, 'O' Allah grant me provision,' when he knows that the sky

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[440] *Nidhâm al-Ḥukoomah an-Nabawiyah*, 2/20.

[441] Ibid.

[442] Ibid.

[443] Ibid.

[444] *Farâ'id al-Kalâm*, p. 129; *Tanbeeh al-Ghâfileen*, p. 211, by as-Samarqandi.

will not rain down gold and silver, and that Allah grants provision to people by means of one another.'" Then he recited the verse:

﴾Then when the [*Jumu'ah*] *Ṣalâh* [prayer] is ended, you may disperse through the land, and seek the Bounty of Allah [by working], and remember Allah much, that you may be successful.﴿

(Qur'an 62: 10)[445]

If 'Umar saw a young man and liked him, he would ask: "Does he have a skill?" If the answer was no, he would say, "I am no longer impressed."[446] And he said: "There is no situation in which I would like to die, apart from jihad for the sake of Allah, more than if death were to come to me when I was travelling with my camels (for the purpose of trade), seeking provision by the bounty of Allah." And he recited the verse:

﴾... Others travelling through the land, seeking of Allah's Bounty.﴿

(Qur'an 73: 20)[447]

'Umar's fear that prominent Muslims would give up trading

'Umar ibn al-Khaṭṭâb (ﷺ) entered the marketplace during his caliphate and he saw that the majority of traders were Nabataeans. This upset him, so when he had gathered the people together he told them about that and rebuked them for abandoning the market. They said: "Allah has made us independent of the market by means of the conquests that He has granted to us." 'Umar (ﷺ) said: "By Allah, if you carry on like that, your men will need their men and your women will need their women."[448] 'Umar regarded the prominent Muslims'

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[445] *Nidhâm al-Ḥukoomah al-Islâmiyah,* 2/20.

[446] Ibid.

[447] Ibid.

[448] Ibid, 2/18.

— apart from the *Mujâhideen* — shunning of the marketplace and failure to strive to earn a living with suspicion and fear.[449]

3.2.4. 'Umar's night patrols

There can be no doubt that the night patrols (*al-'asas*) formed the basis for the police. Some historians have stated that 'Abdullâh ibn Mas'ood (ﷺ) was in charge of the night patrols at the time of Abu Bakr, and that 'Umar ibn al-Khaṭṭâb took charge of the night patrols himself. He used to bring his freed slave Aslam with him, and sometimes he would bring 'Abdur-Raḥmân ibn 'Awf with him. Night patrols refers to going around at night and keeping a lookout for thieves and evildoers and others whose evil is feared. We should rightfully regard this as the first step in the establishment of the police force, because the believers used to guard themselves and prevent evil amongst themselves during the day, then when they went to sleep the night patrol took over the task of guarding them. Then when the numbers of evildoers increased and they began to commit evil openly in broad daylight, there was a need for guards to keep a lookout during the day too, so the police force was established as a permanent patrol.[450]

'Umar himself used to guard the Muslims, and that helped keep him up to date with what was happening in the Muslim society. In the city of the Messenger of Allah (Blessings and peace be upon him) — which at that time was the capital of the Islamic state, a meeting place for all peoples and the seat of government — he would walk in the streets at night to see and hear for himself what his agents might hesitate to tell him or what they might fail to pass on to him. How many rules he laid down, altered or abolished according to the

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449 *Ad-Dawlah al-Islâmiyah fee 'Aṣr al-Khulafa' ar-Râshideen*, p. 161.

450 *'Abqarat al-Islâm fee Uṣool al-Ḥukam*, p. 322.

situation. There follow some examples which point to what we have mentioned.[451]

Prohibition on hastening to wean infants

It was narrated that Aslam, the freed slave of 'Umar ibn al-Khaṭṭâb (ﷺ) said: "Some merchants came to Madeenah and camped in the prayer-place. 'Umar said to 'Abdur-Raḥmân ibn 'Awf, 'Shall we go and guard them tonight?' He said, 'Yes.' So they guarded them overnight. They prayed and 'Umar heard a child crying. He went towards him and said to his mother, 'Fear Allah and look after your child.' Then he went back to his place. At the end of the night, he heard the child crying again, so he went to his mother and said to her, 'Woe to you, what a bad mother you are! Why has your child not stopped crying all night?' She said, 'O' slave of Allah, I am distracting him from nursing but he refuses to accept that.' He said, 'Why?' She said, 'Because 'Umar does not give a stipend except to children who are weaned.' 'Umar had allocated a stipend to every child who was weaned. He said, 'How old is this son of yours?' She said, 'So many months.' He said, 'Woe to you, do not hasten to wean him.' When he prayed *Fajr*, the people could not hear his recitation clearly because of his weeping. He said, 'Woe to 'Umar, how many of the Muslims' children has he killed?' Then he ordered a caller to cry out: 'Do not hasten to wean your children, for we will give a stipend to every child born in Islam,' and he wrote instructions to that effect to all regions."[452]

What a beautiful story this is, and how great was his justice. Thus every newborn was recorded in the state records and allocated a stipend from the *bayt al-mâl* of the Muslims, because the *bayt al-mâl* belongs to all the Muslims, and the one who is in charge of it is a

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451 *Fann al-Ḥukm*, p. 264.

452 *Al-Bidâyah wa an-Nihâyah*, 7/140.

trustee and it is not permissible for him to dispose of any of it unlawfully or to withhold anything from one who is entitled to it.

Setting a limit on how long soldiers can be away from their wives

One of the results of 'Umar's night patrols was that he went out one night to patrol Madeenah and he heard a woman in great distress saying in verse:

"This night is too long and I cannot go to sleep for I have no one to sleep with,
By Allah, were it not for Allah I would have made this bed shake."[453]

'Umar said: "May Allah have mercy on you." Then he sent her some clothing and money, and wrote a letter telling her husband to come to her.[454]

According to another report: Then he went and knocked on his daughter Ḥafṣah's door. She said: "O' *Ameer al-Mu'mineen*, what brings you here at this hour?" He said, "O' my daughter, how long can a woman put up with her husband being away?" She said, "She can put up with a month or two or three, but in the fourth month she will lose patience." 'Umar wrote that the soldiers should not be kept away for more than four months.[455] This was how 'Umar set a limit on how long a soldier could be away from his wife, and no one disputed with him concerning that.[456]

As for the soldiers who did not adhere to this limit, 'Umar checked on them before setting a limit. After he found out the names

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[453] *Maḥḍ aṣ-Ṣawâb*, 1/388; there is a break in its isnad.

[454] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 890.

[455] Ibid, p. 89; *Awwaliyât al-Fârooq*, p. 289.

[456] *Awwaliyât al-Fârooq*, p. 289.

of those who had been away for a long time and had not sent any maintenance to their families during their absence, he wrote to their commanders asking them to give them the following options: they were either to return to their wives, or send them sufficient maintenance, or divorce them, but if they divorced them they were obliged to send maintenance to cover the past period.[457]

Protecting the honour of the Mujâhideen

Another result of 'Umar's checking on the people at night was that he protected the honour of the *Mujâhideen*. He went out one night and walked around Madeenah, and he heard some lines of poetry which contained something dubious. In the middle of the night, a woman was expressing her wish for wine and the company of a handsome young man for whom she had always longed, whether that was a real wish and she meant it, or said it simply as poetry without meaning it. Whatever the case, the words appeared dubious. She started to say lines such as:

"Is there any way to get some wine and drink it?
Is there any way to reach Naṣr ibn Ḥajjâj?"

After hearing this, 'Umar sent for Naṣr ibn Ḥajjâj the following morning, and saw that he was the most handsome of people, with splendid hair. He ordered that his hair be shaved off, but that only made him more handsome. He ordered him to wear a turban, but that only made him more handsome. So he expelled him to Baṣra,[458] lest women be tempted by him, and so as to block the means of temptation and protect the honour of the soldiers who were guarding the border for the sake of Allah. This action of 'Umar's shows the farsightedness of his public policies and his wisdom in giving precedence to the public interest. The fact that Naṣr was so

[457] Op. cit., p. 170.
[458] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 91.

handsome, and that the soldiers were away from their wives, and that people felt at ease and secure in Madeenah, could have led to *fitnah*, so it was better for this spoiled youth to be sent to a military town where he could gain experience in fighting or benefit from seeing the heroic actions of real men. Başra — which was a military town at that time — was the best remedy for such a youth.[459]

The woman whom 'Umar had heard was afraid that he might rebuke her, so she sent him some lines of verse in which she said:

"Tell the Imam who is respected and feared: what do I need of wine and Naşr ibn Ḥajjâj?
I was referring to Abu Hafs by mentioning someone else. And all I wanted was to drink milk and relax..."

'Umar sent word to her saying: "I have heard something good about you. I did not expel him (Naşr) because of you, rather I heard that he enters upon women and I cannot trust them."[460] Then 'Umar wrote a letter to his governor in Başra, and the messenger stayed there for several days, then a caller cried out, "The mail of the Muslims is going to leave, so whoever wants to send a letter, let him write it." Naşr ibn Ḥajjâj wrote a letter in which he said: "In the name of Allah, the Most Gracious, the Most Merciful, for the slave of Allah 'Umar, the *Ameer al-Mu'mineen...*" then he wrote some lines of verse in which he questioned why he had been expelled because of a woman saying some silly things. 'Umar said: "So long as I am the ruler, he may not return." So he did not return to Madeenah until after 'Umar died.[461]

There is a similar story in which 'Umar went on his night patrol around Madeenah and heard some women talking and

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459 *Awwaliyât al-Fârooq*, p. 82.

460 *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 92.

461 Ibid, Pp. 92, 93.

wondering which young man in Madeenah was most handsome. One of them said: "Abu Dhu'ayb." 'Umar looked for him and found that he was one of the most handsome of people. He said to him, "Rather you are a wolf *(dhi'b)* for them. Go and never stay in the same city as me." The young man said: "If you are going to do that, then let me join my cousin Naṣr ibn al-Ḥajjâj." They were both from Banu Sulaym, and 'Umar let him join his cousin.[462]

This action of 'Umar's was dictated by the situation of the ummah, and is consistent with his strong inclination to make the most of individual potentials. 'Umar's era was one in which the armies were mobilized and all those who were able for it were sent to fight for the sake of Allah, so how could 'Umar hear of these two young men who were in Madeenah although there was no reason why they should not go and fight. Expelling them from Madeenah was better than leaving them to compose poems and sit with women.[463]

"Will you carry my burden for me on the Day of Resurrection?"

It was narrated that Aslam the freed slave of 'Umar (ﷺ) said: " 'Umar went out to Ḥarrat Wâqim[464], and I went with him. When we were in Ṣarâr[465], we saw a fire burning. He said, 'O' Aslam, I see here some travellers who are being held up by the night and the cold; let's go.' So we went running and when we came near to them, we saw a woman with children. There was a pot set up over the fire, and her children were crying. 'Umar said, 'Peace be upon you, O' people of the light (he did not want to say, O' people of the fire).' She said,

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462 *Ash-Shaykhân min Riwâyat al-Balâdhuri*, Pp. 211, 212.

463 *Awwaliyât al-Fârooq*, p. 83.

464 A *ḥarrah* is an area with black volcanic rocks. Madeenah is situated between two *ḥarrahs*.

465 A place located three miles from Madeenah.

'And upon you be peace.' He said, 'May I come closer?' She said, 'Come if you can do some good, otherwise leave us alone.' He came closer and said, 'What is the matter with you?' She said, 'The night and the cold held us up.' He said, 'What is the matter with these children; why are they crying?' She said, 'They are hungry.' He said, 'What is in this pot?' She said, 'Water, to calm them down until they go to sleep, and Allah will judge between us and 'Umar.' He said, 'May Allah have mercy on you, how could 'Umar know about you?' She said, 'How come he is in charge of our affairs, but he is not aware of our situation?' He turned to me and said, 'Let's go.' So we set off running until we came to the room where wheat was stored. He took out a sack of wheat and a little fat, and said, 'Hoist it up onto me.' I said, 'I will carry it for you.' He said, 'Will you carry my burden for me on the Day of Resurrection, may you be bereft of your mother?' So I hoisted it up onto him and he set out running and I ran with him. When he reached her, he put those things down. He took out some of the wheat and said to her, 'Prepare it for me and I will cook it for you.' He started blowing beneath the pot and I saw the smoke coming out through his beard. He cooked it for her, and brought it to her, and said, 'Bring me something.' So she brought him a vessel and he poured it into it, then said, 'Feed them and I will spread it out (to cool down) for them.' He stayed until they had eaten their fill, and he left the leftover food with her. He got up, and I got up with him, and she started to say, 'May Allah reward you with good; you are more suited to be the caliph than *Ameer al-Mu'mineen*.' He said, 'Say something good, and if you go to the *Ameer al-Mu'mineen*, you will find me there *insha' Allâh* — Allah willing." Then he walked some distance away from her, then turned to face them again and waited a while. I said to him, 'Is there anything else?' but he did not answer me, until I saw the boys wrestling then falling asleep, having calmed down. Then he stood up and said, 'Praise be to Allah, the Exalted, the Almighty.' Then he turned to me and said, 'O' Aslam, hunger kept

them awake and made them cry; I did not want to leave until I saw what I saw.' "[466]

"O' Ameer al-Mu'mineen, give your companion the glad tidings of a boy"

Whilst 'Umar was patrolling one night, he passed by one of the courtyards of Madeenah and saw a tent that had not been there the night before. He drew closer and heard the cries of a woman in labour. He saw a man sitting there, so he went to him and greeted him with *salâm*, and asked: "Who are you?" He said, "I am one of the people of the desert, and I have come to *Ameer al-Mu'mineen* to get a share of his bounty." He then asked, "What is this noise I can hear inside the tent?" He said, "May Allah have mercy on you, it is not your concern." He said, "Never mind, tell me what it is." He said, "A woman in labour." He asked, "Is there anyone with her?" He said, "No." So 'Umar went to his home and said to his wife Umm Kulthoom bint 'Ali, "Do you want some reward that Allah has made easy for you?" She asked, "What is it?" He said, "A woman who is a stranger and is in labour, and has no one with her." She said, "Yes, if you wish." He said, "Take with you whatever women need for giving birth of cloths and creams, and bring me a pot and some fat and grains." She brought those things, and he said, "Let's go." He carried the pot and she walked behind him until they reached the tent. He said to her, "Go in to the woman," and he went and sat with the man and said to him, "Light a fire for me." He did that, and he put the pot on the fire until the food was cooked. The woman gave birth and 'Umar's wife said, "O' *Ameer al-Mu'mineen*, give your companion the glad tidings of a boy." When the Bedouin heard the words *Ameer al-Mu'mineen* it was as if he got scared and he started to back away. 'Umar said to him, "Stay where you are." He took the pot and placed

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[466] *Al-Kâmil fee at-Târeekh*, 2/214; aṭ-Ṭabari, 5/200.

it by the door and said (to his wife), "Let her eat her fill." So she did that, then she brought the pot out and placed it by the door, and 'Umar got up and took it and placed it in front of the man and said, "Eat, woe to you! You have stayed up all night." And he said to his wife, "Come out." He said to the man, "Tomorrow come to us and we will give you what you need." The next day he came to him and he gave a stipend to his son, like any other Muslim child.[467]

"By Allah I will not obey him in public and disobey him in private"

It was narrated that Aslam, the freed slave of 'Umar (ﷺ), said: "Whilst I was with 'Umar ibn al-Khaṭṭâb as he was patrolling Madeenah, he got tired and leaned against a wall in the middle of the night. He heard a woman saying to her daughter: "O' my daughter, get up and mix that milk with water." She said, "O' my mother, what about the decree of the *Ameer al-Mu'mineen*?" She said, "What was his decree?" She said, "He commanded his caller to cry out: Do not dilute milk with water." She said to her, "O' my daughter, get up and dilute that milk with water, for you are in a place whether neither 'Umar nor his caller can see you." The girl said, "By Allah, I will not obey him in public and disobey him in private." 'Umar heard all of that, then he said, "O' Aslam, mark the door and remember where it is." Then he carried on with his patrol. The next day, he said, "O' Aslam, go to that place and see who said that and who she said it to, and whether they have a husband." He went to that place and found a single girl with no husband, and the other woman was her mother who had no man. He came to 'Umar and told him, and 'Umar called his sons together and said, "Does any one of you need a woman to marry? If your father had any energy none of you would beat him to this girl." 'Abdullâh said, "I have a wife." 'Abdur-Raḥmân said, "I

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[467] *Al-Bidâyah wa an-Nihâyah*, 7/140.

have a wife." 'Âṣim said, "O' my father, I do not have a wife, so let me marry her." He sent for the girl and married her to 'Âṣim. She bore him a daughter, and that daughter bore a daughter, and that granddaughter bore 'Umar ibn al-'Azeez (may Allah have mercy on him).[468]

Ibn 'Abdul-Hâdi said: "Some of them said that this is how it is narrated in this report, but it is a mistake. The correct version is: 'She bore 'Âṣim a daughter, and the daughter bore 'Umar ibn 'Abdul-'Azeez (may Allah have mercy on him).' "[469]

'Umar used to check on the people himself, and he would patrol at night and fulfil his duty towards the people, seeking the reward thereof with Allah. His keenness to keep up to date with affairs in his state was not limited to the capital only, rather that concern extended to all regions of the Islamic state, as we shall see in the following pages *insha' Allâh.*

3.2.5. His kindness and compassion towards animals

'Umar's kindness towards animals stemmed from his faith which made him kind and compassionate towards everything. His heart had been softened by the remembrance of Allah (*dhikr*) and he felt compassion towards all of Allah's creation. He learned from Islam that in every living being there is reward, and that it is not permissible in Islam to abuse animals, to destroy them for no reason, to use them in ways for which they were not created or to force them to do more than they are able.[470] 'Umar (رضي الله عنه) declared that if a mule stumbled in Iraq, he was responsible for not having the road paved. There follow some examples of 'Umar's kindness towards animals

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[468] *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, Pp. 89, 90.

[469] *Mahḍ aṣ-Ṣawâb,* 1/391.

[470] *Shaheed al-Miḥrâb,* p. 226.

which are glowingly recorded in Islamic history.

"Will you burden your camel with more than it can bear?"

It was narrated that al-Musayyib ibn Dârim said: "I saw 'Umar ibn al-Khaṭṭâb (ﷺ) beating a camel driver and saying, 'Will you burden your camel with more than it can bear?' "[471]

"Do you not know that they have rights over you?"

Al-Aḥnaf ibn Qays said: "We came to 'Umar with news of a great conquest, and he asked, 'Where are you staying?' I said, 'In such and such a place.' He came with me until we reached the place where the animals were resting, and he checked them over and asked, 'Will you not fear Allah with regard to these mounts of yours? Do you not know that they have rights over you? Why did you not let them loose so that they could eat of the vegetation of the earth?' "[472]

Treating the zakah camels

A delegation from Iraq, among whom was al-Aḥnaf ibn Qays, came to 'Umar on a very hot summer's day. 'Umar had wrapped an *abayah* around his head like a turban and was daubing one of the zakah camels with pitch (as a remedy). He said: "O' Aḥnaf, take off your cloak and come and help the *Ameer al-Mu'mineen* with this camel, for it is one of the zakah camels and it has the same rights as the widows, the orphans and the poor." A man said, "May Allah forgive you, O' *Ameer al-Mu'mineen*, why don't you tell one of the zakah slaves to do that for you?" 'Umar said, "What slave is more of a slave than me or al-Aḥnaf? The one who is appointed in charge of the Muslims has the same duty towards them as a slave to his master, the duty of sincerity and fulfilling the trust."[473]

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471 *Mahḍ aṣ-Ṣawâb*, 2/469.

472 *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh*, 2/605.

473 *Akhbâr 'Umar*, p. 343, quoting from Ibn al-Jawzi.

"An animal has been made to suffer because of 'Umar's wishes"

'Umar wanted some fresh fish, so Yarfa' — his freed slave — took a camel and travelled two days there and two days back to buy some fish and bring it to him. Yarfa' went and washed the sweat from his mount. 'Umar looked at it and said, "An animal has been made to suffer because of 'Umar's wishes. By Allah, 'Umar will never taste that (fish)."[474]

"I am afraid that I will be questioned about you"

'Umar saw a camel which appeared exhausted and sick. He went to it, laid his hand on the camel's back and examined it, saying, "I am afraid that I will be questioned about you (i.e., on the Day of Resurrection)."[475]

These are some stories of 'Umar which demonstrate his kindness and compassion towards animals. Would that our confused youth would learn about their history and about Islam, so that they would know that there is no humane principle that benefits human society but Islam has enjoined it and explained it in detail; then they would not be dazzled by the west which boasts of its animal welfare societies as being one of the signs of its humane principles, and our youth would not imitate the west thinking that they invented such things. They should realize that we taught the west everything it knows about kindness to animals[476] and everything that is beneficial.

Remembering that Allah (ﷻ) is always watching is the key to guidance and goodness and is the essence of worship. Even with regard to a sick camel, 'Umar feared that his Lord would question him about it. This is the essence of Islam, awareness of Allah's

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[474] *Ar-Riyâḍ an-Naḍrah,* p. 408.

[475] *Aṭ-Ṭabaqât,* 3/215.

[476] *Shaheed al-Miḥrâb,* p. 288.

watching and fear of Him that stills the heart. Can any ruler succeed without this, can he escape the reckoning of Allah when he has been appointed in charge of His slaves?[477]

3.2.6. Earthquake during the time of 'Umar

There was an earthquake at the time of 'Umar ibn al-Khaṭṭâb, and he said: "O' people, this earthquake is only because of some sins that you are committing. By the One in Whose hand is my soul, if it happens again I will never stay among you."[478]

4. 'Umar's Concern for Knowledge, the *Dâ'iyahs* and the Scholars

4.1. 'Umar's concern for knowledge

Knowledge is one of the most important factors for the Muslim ummah to prevail, because it is impossible to imagine that Allah would support an ignorant nation which does not seek knowledge. Anyone who studies the Holy Qur'an will realize that it is filled with verses that give knowledge a high status and encourages us to seek it and acquire it. The first verse of the Book of Allah which enjoins knowledge and reading is:

﴾Read! In the Name of your Lord Who has created [all that exists].﴿ *(Qur'an 96: 1)*

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[477] Op. cit., p. 229.

[478] *Farâ'id al-Kalâm*, p. 140; quoting from *ad-Dâ' wa ad-Dawâ'* by Ibn al-Qayyim, p. 53.

The Qur'an also describes knowledge as the opposite of *kufr*, which is ignorance and misguidance. Allah (ﷻ) says:

﴾Say, 'Are those who know equal to those who know not?' It is only men of understanding who will remember [i.e. get a lesson from Allah's Signs and Verses].﴿ *(Qur'an 39: 9)*

The only thing that Allah commanded His Prophet to ask for more of was knowledge[479], as He (ﷻ) says:

﴾... And say, 'My Lord! Increase me in knowledge.'﴿
(Qur'an 20: 114)

The *Ṣaḥâbah* understood that knowledge and understanding of religion are among the means of attaining divine help and support. Hence they were keen to understand their religion and to learn the word of Allah and the Sunnah of His Messenger. Their pursuit of knowledge was for the sake of Allah. They were also keen to learn the evidence for rulings, and they were certain that it is essential to act upon one's knowledge, otherwise Allah would take away the blessing from it. The *Ṣaḥâbah* learned from the Messenger of Allah (ﷺ) his *du'â'*: «"O' Allah, I seek refuge with You from knowledge that is of no benefit, from a heart that is not humble, from a soul that is never satisfied and from a prayer that is not answered."»[480]

The ummah bore witness to 'Umar's great knowledge and the fact that he was one of the *faqeehs* of the earliest generation, without parallel. He was known for the depth of his knowledge, his analytical ability and his brilliance in reaching the right conclusions. This — after the help and guidance of Allah — qualified him for that prominent position. Thus 'Umar became the *faqeeh* of the Muslims after he became caliph, and through his ijtihad he established the

[479] *At-Tamkeen li'l-Ummah al-Islâmiyah*, p. 62.
[480] Muslim, hadith no. 2722.

principles of justice based on the core teachings of Islam. 'Umar was one of the foremost *faqeehs* of the *Ṣaḥâbah*, and the righteous *salaf* praised his knowledge and understanding, and his precise knowledge of *shar'i* rulings. 'Umar (ﷺ) was cautious in accepting *aḥâdeeth* and he discussed various issues of knowledge with the *Ṣaḥâbah*. He would ask the *Ṣaḥâbah* about matters that he had not learned from the Messenger of Allah (ﷺ). He encouraged the pursuit of knowledge, and would check on people to encourage them to learn. He made Madeenah a centre of fiqh and *fatwas*, and it became a school from which governors and judges graduated. He prepared a select group of the *Ṣaḥâbah* to lead institutes of learning (the mosques) in the conquered regions, where they taught and educated the conquered peoples in accordance with the Book of Allah and the Sunnah of His Messenger (ﷺ). Thus he laid the foundations for the schools which had such an effect on the Muslim peoples, such as the schools of Baṣra, Koofah and Damascus, and he further developed the schools of Madeenah and Makkah.

4.1.1. His caution in accepting *aḥâdeeth* and his discussions of knowledge and asking about matters of which he was unaware

His caution in accepting aḥâdeeth and seeking confirmation

Abu Moosa al-Ash'ari asked for permission to enter the place of 'Umar ibn al-Khaṭṭâb, but he did not let him in — as if he was busy — so Abu Moosa went away. 'Umar finished what he was doing and asked: "Did I not hear the voice of 'Abdullâh ibn Qays? Let him in." It was said, "He has gone back." So he called him and he (Abu Moosa al-Ash'ari) said, "We were commanded to do that." He asked, "Can you bring me proof of that?" So he went to a gathering of the Anṣâr and asked them, and they said, "No one will testify about that for you but the youngest of us." Abu Sa'eed stood

up and said, "We were commanded to do that." 'Umar said, "I did not learn of that from the Messenger of Allah (ﷺ). I was too busy in the markets," i.e., going out for trade.[481]

According to the report narrated by Abu Sa'eed al-Khudri, he said: "I was in a gathering of the Anṣâr when Abu Moosa came, looking worried, and said, 'I asked permission to meet 'Umar three times and he did not let me in, so I went away. He asked me what stopped me and I said, 'I asked permission to enter and meet you three times and I was not admitted so I went away, and the Messenger of Allah (ﷺ) said, «'If any one of you asks permission to enter three times and he is not admitted, let him go away.'» And he said, 'You have to bring me proof of that.' Is there anyone among you who heard that from the Prophet (ﷺ)?' Ubayy ibn Ka'b said, 'By Allah, no one will go with you but the youngest of the people.' I was the youngest of the people, so I went with him and told 'Umar that the Prophet (ﷺ) had said that."[482]

'Umar's discussion of knowledge and asking about matters of which he was unaware

It was narrated that Abu Hurayrah (ﷺ) said: "A woman who did tattoos was brought to 'Umar and he stood up and said, 'I adjure you by Allah, who heard anything from the Prophet (ﷺ) about tattoos?' Abu Hurayrah said that he stood up and said, 'O' *Ameer al-Mu'mineen*, I heard something.' He asked, 'What did you hear?' He said, «'I heard the Prophet (ﷺ) say, 'Do not do tattoos or have them done.'»' "[483]

It was narrated from al-Mugheerah ibn Shu'bah that: «" 'Umar consulted them about causing a woman to miscarry. Al-Mugheerah

[481] Muslim, hadith no. 2153.
[482] Ibid.
[483] Bukhari, hadith no. 5946.

said, 'The Prophet ruled that the one who does that should free a male or female slave.' He said, 'Bring someone who can testify with you.' So Muhammad ibn Maslamah testified that he saw the Prophet (ﷺ) pass such a judgement."»[484]

It was narrated that: " 'Umar was asked about a man who became *junub* whilst travelling and could not find water. He said, 'He should not pray until he finds water.' 'Ammâr said to him, «'O' *Ameer al-Mu'mineen*, do you not remember when you and I were riding camels and we became *junub*? As for me, I rolled on the ground like an animal, and as for you, you did not pray. I told the Prophet (ﷺ) about that and he said, 'It would have been sufficient for you to do this,'[485] and he struck the ground with his hands and wiped his face and hands.'» 'Umar said to him, 'Fear Allah, O' 'Ammâr.' He said, 'If you wish, I will not speak of it.' He said, 'No, we accept what you say.' This was a Sunnah that 'Umar had witnessed but then forgotten until he ruled differently, then 'Ammâr reminded him but he did not remember. He did not disbelieve 'Ammâr, rather he told him to speak of it."[486]

4.1.2. Sayings of 'Umar encouraging the pursuit of knowledge

'Umar said: "If a man comes out of his house carrying a burden of sins like the mountains of Tihâmah, then when he hears some knowledge he fears Allah and repents, he will go back home with no sins on him. So do not forsake the gatherings of the scholars."[487]

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[484] Bukhari, hadith no. 6906.
[485] Nasâ'i, *aṭ-Ṭahârah*, 217.
[486] *Al-Fatâwa*, 20/135.
[487] *Miftâḥ Dâr as-Sa'âdah*, 1/122; *Farâ'id al-Kalâm*, p. 135.

'Umar said: "No man is a scholar until he does not envy those who are above him and does not despise those who are beneath him, and does not take any payment for his work."

And he said: "Acquire knowledge before you become leaders and pride prevents you from learning and you live in ignorance."[488]

And he said: "Even if knowledge does not benefit you, it will never harm you."[489]

And he said: "The death of a thousand worshippers is easier to bear than the death of a scholar who has knowledge of what Allah has permitted and forbidden."[490]

And he said: "Be vessels of the Qur'an (i.e., learn it by heart) and founts of knowledge, and ask Allah for provision day by day, and it will not harm you if He does not give you a lot."[491]

And he also said: "Seek knowledge and teach it to people. Learn dignity and tranquillity, and be humble towards those from whom you learn knowledge and be humble towards those to whom you teach it, and do not be tyrannical scholars otherwise your knowledge cannot be established because of your tyranny."[492]

'Umar warned against the mistakes of scholars and said: "Islam will be destroyed by the mistakes of scholars, the arguments of the hypocrites who misinterpret the Qur'an to support their views and misleading rulers."[493]

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[488] *At-Tabyân fee Âdâb Ḥamlat al-Qur'an*, by an-Nawawi, p. 60; *Farâ'id al-Kalâm*, p. 163.

[489] *Az-Zuhd* by Imam Aḥmad, p. 174; *Farâ'id al-Kalâm*, p. 168.

[490] *Farâ'id al-Kalâm*, p. 157; *Miftâḥ Dâr as-Sa'âdah*, 1/121.

[491] *Farâ'id al-Kalâm*, p. 159; *al-Bayân wa at-Tabyeen* by al-Jâḥidh, 2/303.

[492] *Akhbâr 'Umar*, p. 263; *Maḥḍ aṣ-Ṣawâb*, 2/686.

[493] *Maḥḍ aṣ-Ṣawâb*, 2/717.

4.1.3. Persisting in guiding and educating people in Madeenah

'Umar persisted in guiding and educating the people through daily contact, especially on Fridays when the *Jumu'ah khuṭbah* from the *minbar* played an important role in teaching and guiding the ummah. History has recorded many of 'Umar's sermons, and we will quote some of them below.

'Umar delivered a *khuṭbah* from the *minbar* of the Messenger of Allah (ﷺ) and said: "When the prohibition of *khamr* (wine, alcohol) came, *khamr* was made from five things: grapes, dates, wheat, barley and honey. But *khamr* is anything that befogs (*khâmara*) the mind. There are three things which I wish the Messenger of Allah (ﷺ) had not left us before settling the matter: how much a grandfather may inherit (from his grandson), the inheritance of *al-kalâlah*[494] and some types of *riba*.[495]

He delivered a *khuṭbah* one Friday in which he advised the people and explained their rights over him. He said: "O' people, some greed is poverty and some despair is richness. You amass that which you do not consume and you hope for that which you can never have. You have been given a respite in this world. At the time of the Messenger of Allah (ﷺ) you were checked by means of the *waḥy* (revelation), and whoever hid something was brought to account and whoever did something openly was brought to account. Show us the best of your behaviour, and Allah knows what is in your hearts. If someone shows us one thing but claims that he is good in his heart, we will not believe him. If he shows us that he is outwardly good, we will think well of him. Remember that stinginess is one of

[494] *Kalâlah*: A deceased person among whose heirs there is no father or son. [Translator]

[495] *Al-Khilâfah ar-Râshidah*, p. 300, by Dr. Yaḥya al-Yaḥya.

the branches of hypocrisy, so spend, it is better for you.

﴾... And whosoever is saved from his own covetousness, such are they who will be the successful.﴿ *(Qur'an 59: 9)*

O' people, pay attention to the Hereafter and set your affairs straight; fear Allah your Lord, and do not dress your women in *qubâṭi* garments, for although they are not see-through, they still show the shape. O' people, I wish that I would be saved by a small margin, and I hope that if I live among you for a short time or a long time, I will do the right thing by you *insha' Allâh*, so that each of the Muslims will continue to receive his right and his share of the wealth of Allah even if he stays in his house. Take care of the wealth that Allah has bestowed upon you. A little provision acquired with kindness is better than a lot acquired through violence. Being killed is a way of death that could befall righteous and evildoers alike, and the martyr is the one who devotes himself for the sake of Allah. If any one of you wants to acquire a camel, let him choose one that is tall and big and strike it with his stick; if it does not flinch then let him buy it."[496]

Great wisdom in a *khuṭbah*

'Umar opened his *khuṭbah* with words of great wisdom, in which he explained that true richness comes with contentment and that true poverty comes with greed. The basis of contentment is showing no interest in what other people have. Whoever shows no interest in what others have will be content with what he has, and whoever is content with what he has is rich even if he is poor. Whoever is controlled by greed and looks at what others have will feel that he is poor even if he has a great deal of wealth, because his wealth is not making him feel independent. Richness is richness of

[496] *Farâ'id al-Kalâm,* p. 190, quoting from *Târeekh aṭ-Ṭabari.*

the heart, and common sense dictates that a person should not acquire more than he needs of worldly wealth, and his worldly ambitions should not be attached to that which he does not possess; he should regard this world as something transient and not be deceived by its attractions and temptations.[497]

Judge people as they appear to be and do not be concerned with their inward nature

This *khuṭbah* established the principle of dealing with people after the cessation of revelation, namely judging people as they appear to be and not being concerned with their inward nature, leaving that to Allah. This indicates that the ruler is not responsible for judging what is in people's hearts, for he can never do that; rather he is responsible for correcting their outward behaviour, because if the outward behaviour is correct, a righteous society may be established. Society can be judged to be sound if it appears to be sound and immorality is not committed in public and there are no people who openly commit immorality or defend it, even if there are individuals who may be inwardly evil, because what is apparent from the outward customs of society is consistent with the goals of that society. As for what is hidden of deviation, even though social customs reject it, those who engage in it will be forced to the fringes of society.

Some stinginess is a branch of hypocrisy

The words "Remember that some stinginess is a branch of hypocrisy" clearly refer to those who fall short in spending for the sake of Allah. They see some states and groups of their ummah being attacked by the *kuffâr*, their honour being violated and the resources of their lands being plundered, but when those who are being

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[497] *At-Târeekh al-Islâmi.* 20/266.

attacked rise to fight in jihad, they only find a few Muslims who are willing to help them with their wealth. Those believers who are afflicted with the disease of miserliness are behaving somewhat like the hypocrites, which is a sign of weakness of faith.[498]

"I hope that I could be saved by a small margin"

This is indicative of 'Umar's sensitive feelings and clear understanding of his responsibility, for being in a position of leadership is one of the highest acts of righteousness, but there are many dangers which may turn it into the worst of deeds. Many leaders have been raised in status before Allah and before the righteous people because of their deeds, because they have checked themselves in all matters, minor and major. But many others have done the opposite because they gave priority to their whims and desires and gave precedence to pleasing the people rather than pleasing Allah. 'Umar (ﷺ) was one of the greatest leaders in history, one of those who embodied justice in its most eloquent form, yet despite that he spoke these words; his deep fear of Allah made him forget the reward he had earned for his actions as ruler, in the hope that he would emerge pure and free of any sin he may have picked up during his rule.[499]

4.1.4. Sayings of 'Umar that became well known among the people

'Umar (ﷺ) said: "Whoever conceals his secrets will have the choice (of telling whomever he wants to tell), but whoever speaks or acts in a suspicious manner should not blame anyone who thinks badly of him. Do not think badly of a word spoken by your brother when you can still find good ways to interpret it. Think positively of

[498] Op. cit., 20/267.

[499] *At-Tareekh al-Islâmi*, 20/267.

your brother until you are certain that he is not like that. Do not swear a great deal lest Allah humiliate you. There is no better reward for one who disobeys Allah concerning you than your obeying Allah concerning him. You should seek sincere friends and maintain good relations with them, for they are a pleasure at times of ease and a support at times of calamity."[500]

These are eloquent words which from which we may learn a great deal. There follows a brief commentary on these words.

Whoever conceals his secrets will have the choice

A man will remain in control of his affairs so long as he conceals his secrets. If he discloses his secret to one or more people, then realizes that it would have been better not to disclose it, he cannot reverse the situation.

But whoever speaks or acts in a suspicious manner should not blame anyone who thinks badly of him

Each person is responsible for himself before other people. He should try to keep his name clear and explain himself as much as he can. If he thinks that some people have misunderstood his behaviour, he should hasten to explain, even if he is trusted by everyone and has a high standing in society. The Prophet (ﷺ) said to the two men who saw him walking with a woman at night, "Wait a minute, she is Ṣafiyyah bint Ḥuyayy."[501]

Do not think badly of a word spoken by your brother when you can still find good ways to interpret it

Here 'Umar instructs us to be cautious about thinking badly of others. Thinking well of fellow-Muslims is something that is required

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[500] *Târeekh Dimashq*, 44/359; *at-Târeekh al-Islâmi*, 20/270.
[501] *At-Târeekh al-Islâmi*, 20/271.

of the Muslim, and trying to find the best way to interpret words that appear bad, unless he finds out that these words are in fact pure evil, is also something that is required of the Muslim, who should at the same time take precautions for himself and for those who are under his care, lest they be caught unawares.[502]

Do not swear a great deal lest Allah humiliate you

Swearing by Allah (ﷻ) is an act of veneration. If it is done according to need and in an attitude of veneration and fear of Allah, then it is an affirmation of His greatness, but if a Muslim swears by Allah a great deal, even concerning trivial matters, then this will never be an act of veneration of Allah, rather it will come under the heading of disrespect and carelessness. In consequence, the one who swears a great deal by Allah will expose himself to Allah's humiliation of him, and whoever exposes himself to that loses a great deal.

There is no better reward for one who disobeys Allah concerning you than your obeying Allah concerning him

If there is a disagreement between you and another person, and he disobeys Allah concerning you, either by being aggressive towards you or by violating your honour or taking your wealth, the best manner in which can you requite him is by obeying Allah concerning him, by adhering to the Islamic etiquette of disagreement and respecting the rights of your Muslim brother and not sinking to his level or responding in kind. Then if you forgive him and yield your rights, that is perfect obedience to Allah.

You should seek sincere friends

Yes, you may have a brother who was not borne by the same mother; sincere brothers whose hearts come together on the path of

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[502] *At-Târeekh al-Islâmi*, 20/271.

taqwa may make greater sacrifices than brothers who are linked by blood. Sincere brothers are a source of joy at times of ease when one is happy to meet them and join them in doing righteous deeds; then when calamity comes and the going gets tough, they are a support to their brothers and compete in spending and sacrificing, and in working hard and being selfless.[503]

There are some other sayings of 'Umar which became well known among the people, such as the following:

"When did you enslave people whose mothers bore them free?"

"No one is suited to this position except the one who is gentle without being weak and strong without being harsh."

"I want a man for the position of governorship who, when he is the leader of people he would be thought of as one of them, and when he is one of them he would be thought of as their leader."

Concerning governors: "I complain to Allah of the wrongdoing of one who is strong and the incapability of one who is pious."

"Whoever does not recognize evil is more likely to fall into it."

"I am not a crafty person but I cannot be deceived by a crafty person."[504]

"When Allah commands people to do a thing, He helps them to do it, and when He forbids them to do a thing, He renders them independent of it."[505]

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[503] Op. cit., 20/272.

[504] *Akhbâr 'Umar*, p. 212.

[505] *Adab ad-Dunya wa ad-Deen*, p. 311, by al-Mâwirdi; *Farâ'id al-Kalâm*, p. 111.

4.2. He made Madeenah a centre of *fatwas* and fiqh

When the Prophet (ﷺ) passed away, Madeenah was the capital of the Islamic state and the seat of the caliphate. The *Ṣaḥâbah* there started to derive Islamic rulings to deal with the new issues that arose in the Muslim societies as the conquests spread. Madeenah occupied a prominent position among other regions. The Madeenan society was that in which the Messenger of Allah (ﷺ) had lived and where the first core of the best nation ever raised up for mankind were guided. Thus it became a society to which no other society could even come close. 'Umar's presence at the helm of the caliphate in Madeenah for ten years, with his character and his skill in ruling, had a great effect on making Madeenah the first school of hadith, fiqh and *tashree'* (legislation) in the first and second centuries. This was due to the following factors:

At the time of 'Umar, Madeenah was the gathering-point of the *Ṣaḥâbah*, especially those who had been among the earliest to embrace Islam. 'Umar kept them around him so that they would be a help to him in governing the ummah and seeking to benefit from their knowledge, relying on their sincerity and seeking their opinions and consulting them. The knowledge of these *Ṣaḥâbah* remained in Madeenah, where the number of *fuqaha'* among the *Ṣaḥâbah* reached 130. There were seven who were most active in giving *fatwas*: 'Umar, 'Ali, 'Abdullâh ibn Mas'ood, 'Â'ishah, Zayd ibn Thâbit, 'Abdullâh ibn 'Abbâs and 'Abdullâh ibn 'Umar. Abu Muhammad ibn Ḥazm said: "The *fatwas* of each of these could be compiled into a huge book."[506]

The *Ṣaḥâbah* from whom a middling number of *fatwas* were narrated include: Abu Bakr [because he lived only a short time after

[506] *Al-Madeenah an-Nabawiyah Fajr al-Islâm*, Muhammad Sharâb, 2/45.

the Messenger of Allah (ﷺ)], Umm Salamah, Anas ibn Mâlik, Abu Sa'eed al-Khudri, Abu Hurayrah, 'Uthmân ibn 'Affân, 'Abdullâh ibn az-Zubayr, Abu Moosa al-Ash'ari, Sa'd ibn Abi Waqqâṣ, Jâbir ibn 'Abdullâh, Mu'âdh ibn Jabal, Ṭalḥah and az-Zubayr, 'Abdur-Raḥmân ibn 'Awf, 'Imrân ibn Ḥuṣayn and 'Ubâdah ibn aṣ-Ṣâmit. They said that the *fatwas* of each one of these could be complied in a small volume.[507]

Most of those whom I have mentioned stayed in Madeenah during the time of 'Umar ibn al-Khaṭṭâb, except when they were sent on educational missions or sent for jihad by 'Umar as the result of the expansion of the state, because the conquered lands needed those who could teach the people the Holy Qur'an and the Sunnah of the Prophet (ﷺ).

'Umar's policy of making Madeenah a centre of fiqh and knowledge, and of decision-making and consultation, bore fruit. One indication of the success of this policy is the report narrated by Ibn 'Abbâs who said: "I was reading Qur'an with some men of the *Muhâjiroon*, among whom was 'Abdur-Raḥmân ibn 'Awf, when I was in his house in Mina and he was with 'Umar at the end of a Ḥajj that he performed. Then 'Abdur-Raḥmân came back to me and said, 'You should have seen when a man came to *Ameer al-Mu'mineen* today and said, 'O' *Ameer al-Mu'mineen*, you should speak to So and so; he is saying, 'If 'Umar died, I would swear allegiance to So and so and by Allah, the swearing of allegiance to Abu Bakr was done in a spontaneous manner'.'' 'Umar got angry, then he said, '*Insha' Allâh* I am going to deliver a speech to the people after *'Isha'*, and I will warn those who want to take control of their affairs unlawfully.' 'Abdur-Raḥmân said, 'No, O' *Ameer al-Mu'mineen*, do not do that. For on this occasion among the people there are those who have little

[507] Op. cit.

understanding and troublemakers, and they will be all around you. I am worried that you may get up and say something that will be conveyed everywhere without people understanding it or interpreting it properly. Wait until you reach Madeenah, for it is the land of hijrah and Sunnah, where you meet exclusively with the people of fiqh and the leaders of the people. There you may say what you said with certainty, and the people of knowledge will understand exactly what you are saying and will interpret it properly.' 'Umar said, 'By Allah, if Allah wills, I will do that as soon as I reach Madeenah.' "[508]

Ibn Ḥajar said:

"This hadith provides evidence that the people of Madeenah were distinguished by their knowledge and understanding, because 'Abdur-Raḥmân ibn 'Awf and 'Umar were agreed on that. He said, 'This was true in the case of 'Umar's period, but it is not necessarily the case in all periods.' "[509]

That period had an effect on the schools that were established as the society developed and as the conquests spread. The students of 'Umar's school in Madeenah developed their knowledge in Madeenah, then they become prominent because of their proximity to the source and because they had stayed in the Madeenan environment. Some of the students of 'Umar were sent to the conquered lands to teach and train the peoples who had entered Islam.

Madeenah became a prominent centre of knowledge and fiqh, and the Madeenan school influenced the conquered regions and the schools which were founded in Baṣra, Koofah and elsewhere. The sequence in which the centre of fiqh moved from Madeenah to other

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[508] Bukhari, *Kitâb al-Ḥudood*, hadith no. 6830.

[509] *Al-Fatḥ*, 12/155; *al-Madeenah Fajr al-Islâm*, 2/46.

regions is as follows:

Madeenah was the site where the Revelation came down, and where shari'ah was formed. No other city could match it during the time of the Rightly-Guided Caliphs. Madeenah was the centre for the *fuqaha'* among the *Ṣaḥâbah,* foremost among whom was 'Umar.

'Uthmân was killed in 35 A.H. and 'Ali moved to Koofah, but Madeenah still remained a centre of knowledge because of the *fuqaha'* among the *Ṣaḥâbah* who were still alive in Madeenah and who lived throughout most of the second half of the first century. They included 'Â'ishah, Abu Hurayrah, Jâbir ibn 'Abdullâh, Ibn 'Umar, Sa'd ibn Abi Waqqâṣ and others.

The school of the senior *Tâbi'een* was founded in Madeenah, among whom were the seven *fuqaha'* who had no equal in other Muslim regions: 'Ubaydullâh, 'Urwah, Qâsim, Sa'eed, Abu Bakr, Sulaymân and Khârijah.

The second wave of *Tâbi'een* (the junior *Tâbi'een*) came along and lived until the end of the first half of the second century, of whom we may mention: Ibn Shihâb az-Zuhri, Nâfi' ibn Aslam and Yaḥya ibn Sa'eed al-Anṣâri.

Then came the era of Imam Mâlik, who was one of the successors of the *Tâbi'een.* He was one of the most knowledgeable of people concerning the knowledge of those of the *Tâbi'een* who had come before him, senior and junior alike.

The fact that the people of the regions needed the knowledge of the Ḥijâz bears witness to the knowledge of the people of Madeenah; they would travel to Madeenah in pursuit of knowledge, in a manner that was unknown in any other region. The scholars of the Muslim regions travelled to Madeenah to seek knowledge, and to discuss their issues with the scholars of Madeenah, who were their reference point in this regard. The scholars of Madeenah also went to

the regions as judges and teachers[510], starting with those whom 'Umar sent when he conquered Syria and Iraq, to teach the people the Book of Allah and the Sunnah of His Messenger. 'Abdullâh ibn Mas'ood, Ḥudhayfah ibn al-Yamân, 'Ammâr ibn Yâsir, 'Imrân ibn Ḥuṣayn and Salmân al-Fârisi went to Iraq; and Mu'âdh ibn Jabal, 'Ubâdah ibn aṣ-Ṣâmit, Abu ad-Dardâ', Bilâl ibn Rabâḥ and others went to Syria. 'Uthmân, 'Ali, 'Abdur-Raḥmân ibn 'Awf, Ubayy ibn Ka'b, Muhammad ibn Maslamah, Zayd ibn Thâbit and others stayed with 'Umar. Ibn Mas'ood — who was the most knowledgeable of the *Ṣaḥâbah* who were in Iraq at that time — issued *fatwas,* then he would come to Madeenah and ask the scholars there, and if they suggested that his rulings were not correct he would adopt their opinion.[511]

The Madeenan school influenced all the other schools, and the knowledge of the people of Madeenah was a reference point for all the Muslim regions except Koofah; the regions never saw themselves as the equals of the people of Madeenah in knowledge, such as the people of Syria and Egypt, such as al-Awzâ'i and the Syrians who came before and after him, and al-Layth ibn Sa'd and the Egyptians who came before and after him. It is quite clear that they respected the actions of the people of Madeenah and followed their early *madh-hab,* as did the scholars of Baṣra, such as Ayyoob, Ḥammâd ibn Zayd, 'Abdur-Raḥmân ibn Mahdi and others. Thus the *madh-hab* of the people of Madeenah prevailed in those regions.[512]

The people's trust in the knowledge of the people of Madeenah made them give precedence to it over all other knowledge. Al-Khaṭeeb al-Baghdâdi narrated that when Muhammad ibn al-Ḥasan

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510 *Al-Madeenah an-Nabawiyah Fajr al-Islâm wa al-'Aṣr ar-Râshidi,* 2/47.

511 *Al-Fatâwa,* 20/172.

512 Ibid, 20/174.

ash-Shaybâni narrated to them from Mâlik, his house would be full, but when he narrated to them from anyone other than Mâlik, only a few people would attend. He said: "I do not know of any people who have less appreciation for their own companions than you; when I narrate to you from Mâlik, you fill my house, but when I narrate to you from your companions, you come reluctantly."[513]

The scholars of regions other than Madeenah varied in their level of knowledge depending on how much they had learned from the people of Madeenah. They regarded the knowledge of the people of Madeenah as the criterion of superiority. Mujâhid, 'Umar ibn Dinar and others from Makkah said: "We remained on an equal footing until 'Aṭa' ibn Abi Rabâḥ left for Madeenah; when he came back, his superiority over us was evident."[514]

One of the main reasons why fiqh flourished in Madeenah at the time of 'Umar ibn al-Khaṭṭâb was the inspired personality of 'Umar himself. The Messenger of Allah (ﷺ) bore witness to this quality of 'Umar when he saw that his opinion was always correct.

'Umar made the capital of the state a school from which graduated scholars, *dâ'iyahs*, governors and judges. If we look at the first schools in the Muslim world, we will see the influence that 'Umar had on them, because nearly all of their founders were influenced by the fiqh of 'Umar (رضي الله عنه). There follows a brief description of these schools.

4.2.1. The school of Makkah

This school occupied a special status in the hearts of the believers, those who came to the sacred land of Allah as pilgrims and

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[513] *Al-Madeenah an-Nabawiyah Fajr al-Islâm wa al-'Aṣr ar-Râshidi*, 2/48.
[514] Ibid, 2/48.

visitors. Makkah holds a special place in the hearts of every believer who sees it or longs to see it. There was little knowledge in Makkah at the time of the *Ṣaḥâbah*, then it increased at the end of their period and in the days of the *Tâbi'een* and the time of their companions, such as Ibn Nujayḥ and Ibn Jurayj.[515] But Makkah enjoyed a unique blessing at the time of the *Tâbi'een*, namely the presence of the scholar of the ummah and the interpreter of the Qur'an, Ibn 'Abbâs (ﷺ), who devoted all his attention to learning *tafseer* and training his companions in that field, from among whom emerged prominent Imams who were pioneers in *tafseer* among the students of other schools. The scholars have mentioned a number of reasons for the superiority of the Makkan school, the most important of which is the leadership of Ibn 'Abbâs (ﷺ).[516] The scholars also discussed a number of the reasons why Ibn 'Abbâs was qualified for this role and why he excelled over other *Ṣaḥâbah* in understanding the Book of Allah and being able to explain it. These reasons are, in brief: the Prophet's prayer for him, that he might be granted understanding of religion and knowledge of interpretation; the fact that he learned from the senior *Ṣaḥâbah*; his skill in ijtihad and his ability to derive rules; his interest in *tafseer*; his unique method of teaching his companions; his keenness to spread knowledge; his journeys and travels; his late death; and his close position to 'Umar (ﷺ).[517] He earned the special care of 'Umar when the latter noticed in him the signs of brilliance and intelligence. He would invite him to his gatherings and bring him close to him, and he would consult him and follow his opinion with regard to verses of which he was not sure, even though Ibn 'Abbâs was still young. This had a great impact on him, motivating him to acquire knowledge and progress further, and

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[515] *Al-I'lân wa at-Tawbeekh li man Dhamma at-Târeekh*, p. 292.

[516] *Tafseer at-Tâbi'een*, 1/371, by Dr. Muhammad al-Khaḍari.

[517] Ibid, 1/374-395.

to focus more on *tafseer* and other fields of knowledge. It was narrated from 'Âmir ash-Sha'bi that Ibn 'Abbâs said: "My father said to me, 'O' my son, I see that the *Ameer al-Mu'mineen* brings you close to him, and he sits alone with you and consults you along with some of the Companions of the Messenger of Allah (ﷺ). Learn three things from me: fear Allah and never disclose his ('Umar's) secrets; never lie to him; and never backbite about anyone to him.' "[518] 'Umar would include him alongside the senior *Ṣaḥâbah*, and that was only because he saw in him deep understanding, clear thinking and subtle insight. Ibn 'Abbâs (ﷺ) said: " 'Umar used to ask me alongside the Companions of Muhammad (ﷺ), and he used to say to me, 'Do not speak until they have spoken,' and when I had spoken he said, 'I feel disappointed that you could not come up with something like this young man who has not yet reached the age of maturity.' "[519] Because Ibn 'Abbâs was careful to observe proper etiquette when he sat in a gathering with others who were older than him, he would not speak until he was given permission. 'Umar noticed that and encouraged him to speak and to seek knowledge.[520]

As we mentioned in our commentary on the verses:

﴿Would any of you wish to have a garden...﴾ *(Qur'an 2: 266)*

And:

﴿When there comes the Help of Allah [to you, O' Muhammad against your enemies] and the Conquest [of Makkah].﴾ *(Qur'an 110: 1)*

'Umar used to hold gatherings in which he would listen to the youth and teach them. Ibn 'Abbâs was one of those who were close to

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[518] *Al-Ḥilyah,* 1/318; *Tafseer at-Tâbi'een,* 1/376.

[519] *Al-Mustadrak,* 3/539; al-Ḥâkim classed its isnad as *ṣaḥeeḥ* and adh-Dhahabi agreed with him.

[520] *Tafseer at-Tâbi'een,* 1/377.

'Umar. It was narrated that 'Abdur-Raḥmân ibn Zayd said: "When 'Umar ibn al-Khaṭṭâb (ﷺ) had offered a *nafl* prayer, he went into a *mirbad* of his and sent for some young men who had knowledge of the Qur'an, including Ibn 'Abbâs. They would come and recite Qur'an and study together, then when it was time for the siesta he would depart. When they came to this verse:

﴾And when it is said to him, 'Fear Allah', he is led by arrogance to [more] crime. So enough for him is Hell, and worst indeed is that place to rest! And of mankind is he who would sell himself, seeking the Pleasure of Allah. And Allah is full of kindness to [His] slaves.﴿

(Qur'an 2: 206-207)

Ibn 'Abbâs said to someone who was beside him: "The two men are bound to fight." 'Umar heard what he said, and asked, "What did you say?" He said, "Nothing, O' *Ameer al-Mu'mineen.*" He asked again, "What did you say? The two men are bound to fight?" When Ibn 'Abbâs saw that he said, "I can see in this verse that when one is commanded to fear Allah, he is led by arrogance to (more) crime, and I can see when that the one who sells himself, seeking the pleasure of Allah, gets up and tells the other to fear Allah, he will not accept it and he will be led by arrogance to (more) crime. The (good) man will say, 'I sell myself (for Allah),' and he will fight him. And the two men are bound to fight.' 'Umar said, 'What a brilliant thought this is, O' Ibn 'Abbâs.' "[521]

'Umar would ask Ibn 'Abbâs about something in the Qur'an, and he would say, "Dive, O' diver!"[522]

If some difficult cases came to 'Umar, he would say to Ibn 'Abbâs: "O' Abu 'Abbâs, we have some difficult cases, and you are

[521] *Tafseer aṭ-Ṭabari*, 4/245; *ad-Durr al-Manthoor*, 1/578.
[522] *Faḍâ'il aṣ-Ṣaḥâbah* by Aḥmad, 2/981, 1940.

the one to tackle such matters." Then he would follow his opinions. And he would not call on anyone else if the matter was difficult.[523]

It was narrated that Sa'd ibn Abi Waqqâṣ said: "I have not seen anyone quicker to understand or smarter or more knowledgeable or patient than Ibn 'Abbâs. I saw 'Umar ibn al-Khaṭṭâb calling him to discuss difficult matters and saying, 'Here you are, here is a difficult problem for you.' And he would follow what Ibn 'Abbâs said, even though he had around him the people of Badr from among the *Muhâjireen* and Anṣâr.[524] 'Umar described him as 'the young old man, with a questioning tongue and an understanding heart'."[525] Ṭalḥah ibn 'Ubaydullâh said: "I did not see 'Umar ibn al-Khaṭṭâb give precedence to anyone over Ibn 'Abbâs.[526] Ibn 'Abbâs (ﷺ) spent a great deal of time with 'Umar, and was keen to ask him questions and learn from him. Hence he was one of the *Ṣaḥâbah* who transmitted the most of 'Umar's *tafseer* and knowledge. Some of the scholars have suggested that Ibn 'Abbâs acquired most of his knowledge from 'Umar (may Allah be pleased with them all).[527] This is indicative of the care that Ibn 'Abbâs, the Imam of the Makkan school, received from 'Umar and how close he was to him. I think that this is something that helped Ibn 'Abbâs and encouraged him to go ahead and seek knowledge in general and *tafseer* in particular."[528]

4.2.2. The school of Madeenah

We have spoken of 'Umar's concern for Madeenah and how he made it a centre for *fatwas*, fiqh and knowledge. The most famous of

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523 *Tafseer at-Tâbi'een*, 1/379.
524 *Ṭabaqât Ibn Sa'd*, 2/369.
525 *Tafseer at-Tâbi'een*, 1/379; *Faḍâ'il aṣ-Ṣaḥâbah* by Aḥmad, hadith no. 1555.
526 *Ṭabaqât Ibn Sa'd*, 2/370.
527 *Tafseer at-Tâbi'een*, 1/381.
528 Ibid, 1/506.

those who devoted their lives to knowledge in Madeenah was Zayd ibn Thâbit (ﷺ). 'Umar ibn al-Khaṭṭâb kept him in Madeenah and he gained many companions. Ibn 'Umar (ﷺ) said: " 'Umar sent the *Ṣaḥâbah* to various countries, but he kept Zayd ibn Thâbit in Madeenah to issue *fatwas* to its people. Ḥumayd ibn al-Aswad said: "The people of Madeenah never adopted the view of anyone after Zayd ibn Thâbit as they adopted the view of Mâlik.[529] He was one of the *Ṣaḥâbah* for whom Allah made available people to preserve their sayings and spread their knowledge and reports."[530]

'Âmir ash-Sha'bi (may Allah have mercy on him) said: "Zayd surpassed the people in two areas: in the laws of inheritance and in the Qur'an."[531]

The Messenger of Allah (ﷺ) testified to Zayd's knowledge of the laws of inheritance, and said: «"Zayd is the most knowledgeable of you concerning the laws of inheritance."»[532]

Zayd accompanied a number of the *fuqaha'* of Madeenah, and among the most famous of his companions and those who acquired knowledge from him were six of the *Tâbi'een*. Ibn al-Madeeni said: "As for those who met Zayd, and we are certain that they met him, are: Sa'eed ibn al-Musayyib, 'Urwah ibn az-Zubayr, Qubayṣah ibn Dhu'ayb, Khârijah ibn Zayd, Abân ibn 'Uthmân and Sulaymân ibn Yasâr."[533]

The school of Madeenah had a great impact, as we will see when we look at the other schools.

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[529] *Al-'Ilal* by Aḥmad, 3/258, 5145; *Tafseer at-Tâb'ieen*, 1/506.

[530] *Tafseer at-Tâbi'een*, 1/506.

[531] *Tahdheeb Tareekh Dimashq*, 5/449; *Tafseer at-Tâbi'een*, 1/508.

[532] *Sunan at-Tirmidhi*. Tirmidhi said it is a *ṣaḥeeḥ ḥasan* hadith, no. 3791.

[533] *Tafseer at-Tâbi'een*, 1/510.

4.2.3. The school of Baṣra

The city of Baṣra was founded by 'Utbah ibn Ghazwân (ﷺ), who founded it in 14 A.H. at the behest of 'Umar ibn al-Khaṭṭâb. We will discuss that further, *insha' Allâh*, when we discuss 'Umar's policies on civil development. Baṣra is three years older than Koofah[534], and was Koofah's competitor in all fields of knowledge. Many of the *Ṣaḥâbah* (Companions of the Prophet) settled there[535], including Abu Moosa al-Ash'ari and 'Imrân ibn Ḥuṣayn (may Allah be pleased with them both), and several other *Ṣaḥâbah*, the last of whom was Anas ibn Mâlik (ﷺ).[536] Among the most famous people who settled in Baṣra were Abu Moosa al-Ash'ari and Anas ibn Mâlik (may Allah be pleased with them both). Abu Moosa was one of those who had come to Makkah and embraced Islam, then he migrated to Abyssinia with those who migrated there. He was regarded as one of the most knowledgeable of the *Ṣaḥâbah*, who came to Baṣra and taught there.[537] Abu Moosa was influenced by 'Umar and they corresponded with one another, as we shall see when we discuss the institutions of governorship and the judiciary. Abu Moosa was renowned for his knowledge, worship, piety, modesty, proud independence, renunciation of worldly aims and steadfastness in Islam. Abu Moosa is regarded as one of the greatest scholars, *faqeehs* — jurists — and *muftis* among the *Ṣaḥâbah*. Adh-Dhahabi mentioned him in *Tadhkirah al-Ḥuffâdh* as being among the senior ranks of *Ṣaḥâbah* and says of him: "He was knowledgeable, active, righteous and a reciter of Qur'an; he had the most beautiful voice when he recited Qur'an. He recited good and blessed knowledge and

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[534] Op. cit., 1/422.

[535] Ibn Ḥibbân listed more than fifty well-known *Ṣaḥâbah* who went to Baṣra. Ibid.

[536] *Ṭabaqât Ibn Sa'd*, 7/26; Muslim, 1/65.

[537] *Tafseer at-Tâbi'een*, 1/423.

was the most knowledgeable of the people of Baṣra of the Qur'an and Islam."[538]

He spent a great deal of time with the Prophet (ﷺ), and he learned from the senior *Ṣaḥâbah* such as 'Umar, 'Ali, Ubayy ibn Ka'b and 'Abdullâh ibn Mas'ood. Abu Moosa was especially influenced by 'Umar ibn al-Khaṭṭâb. 'Umar used to send him letters of recommendation and advice during his long governorship in Baṣra. Abu Moosa also used to refer to 'Umar concerning all cases that came before him, and ash-Sha'bi regarded him as one of the four judges who were the most famous judges of the ummah. He said: "The four judges are: 'Umar, 'Ali, Zayd ibn Thâbit and Abu Moosa."[539]

When Abu Moosa came to Madeenah, he was keen to meet 'Umar and he spent a lot of time with him. It was narrated from Abu Bakr ibn Abi Moosa that Abu Moosa (رضي الله عنه) came to 'Umar ibn al-Khaṭṭâb after *'Ishâ'*, and 'Umar asked him: "What brings you here?" He said, "I have come to speak to you." He said, "At this hour?" He said, "It is a matter of fiqh." So 'Umar sat down and they spoke for a long time, then Abu Moosa said, "The prayer, O' *Ameer al-Mu'mineen.*" He said, "We are in a state of prayer."[540]

Abu Moosa was keen to seek knowledge and learn, and was equally keen to spread knowledge and teach the people. He would urge the people to learn and teach in his *khuṭbahs*. It was narrated that Abu al-Muhallab said: "I heard Abu Moosa on his *minbar* saying, 'Whoever is granted knowledge by Allah, let him teach it, but let him not speak of that of which he has no knowledge, lest he become one

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538 *Tadhkirat al-Ḥuffâdh*, 1/23.

539 *Siyar A'lâm an-Nubala'*, 2/389.

540 *Abu Moosa al-Ash'ari aṣ-Ṣaḥâbi al-'Âlim al-Mujâhid*, by Muhammad Ṭahmâz, p. 121.

of those who overstep the mark and go beyond the bounds of Islam.' "[541]

Abu Moosa made the mosque of Baṣra a centre of intellectual activity, and he devoted a large part of his time to gatherings of knowledge. But that was not enough for him, rather he did not miss any opportunity to teach people. After saying the *salâm* at the end of the prayer, he would turn to face the people and start teaching them and correcting their recitation of Qur'an. Ibn Shawdhab said: "When Abu Moosa had prayed *Fajr* he would turn to face the rows, checking their recitation one by one."[542]

Abu Moosa was renowned among the *Ṣaḥâbah* for the beauty of his voice and the excellence of his recitation. People used to gather around when they heard him reciting. When Abu Moosa sat with him, 'Umar would ask him to recite whatever he could of the Qur'an.[543] Allah enabled him to teach the Muslims and he did all that he could to teach the Qur'an and propagate it among the people in every land he came to. He used his beautiful voice and his excellent recitation, and people would gather around him and seekers of knowledge would crowd around him in the mosque of Baṣra. He divided them into groups and circles, and he would go around to them all, reciting to them and listening to them and correcting their recitation.[544] The Holy Qur'an was his main preoccupation and he devoted most of his time to it, whether he was at home or travelling. It was narrated that Anas ibn Mâlik said: "Al-Ash'ari sent me to 'Umar (ﷺ) and 'Umar asked, 'How did you leave al-Ash'ari?' I said, 'I left him teaching the people the Qur'an.' He said, 'He is very

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[541] *Aṭ-Ṭabaqât*, 4/107.

[542] *Siyar A'lam an-Nubala*, 2/289.

[543] *Abu Moosa al-Ash'ari aṣ-Ṣaḥâbi al-'Âlim*, Pp. 125, 126.

[544] Ibid, p. 127.

smart, but do not tell him.' "[545]

Even when he went out for jihad, he would teach others. It was narrated that Ḥaṭṭân ibn 'Abdullâh ar-Riqâshi said: "We were with Abu Moosa al-Ash'ari (ﷺ) in an army on the banks of the Tigris, when the time for prayer came. The caller gave the call for Dhuhr and the people got up to make *wuḍoo'*. He did *wuḍoo'* and led them in prayer, then they sat in circles, and when the time for *'Aṣr* came, the caller gave the call for *'Aṣr*. The people got up to do *wuḍoo'* again, and he told his caller to cry out: "No *wuḍoo'* except for the one who broke his *wuḍoo'*.

His teaching efforts bore fruit, and the large number of those around him who had memorized the Qur'an and acquired great knowledge thereof, the number of whom in Baṣra alone exceeded three hundred, was a source of delight to him. When 'Umar ibn al-Khaṭṭâb asked his governors to send him the names of those who had memorized the Qur'an so that he might honour them and increase their stipends, Abu Moosa wrote to him and told him: "Here in this city there are over three hundred men who have memorized the Qur'an."[546]

Abu Moosa was also concerned with teaching the Sunnah and its reports. He narrated a great deal from the Messenger of Allah (ﷺ) and from the senior *Ṣaḥâbah*, and many of the *Ṣaḥâbah* and senior *Tâbi'een* narrated from him. Adh-Dhahabi (may Allah have mercy on him) said: "Buraydah ibn al-Ḥuṣayb, Abu Umâmah al-Bâhili, Abu Sa'eed al-Khudri, Anas ibn Mâlik, Ṭâriq ibn Shihâb, Sa'eed ibn al-Musayyib, al-Aswad ibn Yazeed, Abu Wâ'il Shaqeeq ibn Salamah, Abu 'Uthmân an-Nahdi and others besides them narrated from him."[547]

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545 *Abu Moosa al-Ash'ari aṣ-Ṣaḥâbi al-'Âlim*, p. 127.

546 Ibid, p. 129.

547 *Siyar A'lâm an-Nubala'*, 2/381.

Abu Moosa adhered firmly to the Sunnah of the Prophet (ﷺ), as is indicated by the advice that he gave to his children when he was dying. Although he was keen to adhere to the Sunnah, he did not narrate a large number of hadith, as was also the case with other senior *Ṣaḥâbah*, who feared that if they narrated reports from the Prophet (ﷺ) they would make mistakes. 'Umar would advise his governors to focus on the Qur'an and not to narrate a great deal of reports of the Sunnah, and Abu Moosa was strict in his obedience to 'Umar.

Anas ibn Mâlik an-Najjâri al-Khazraji, the servant of the Messenger of Allah (ﷺ) was known as such and took pride in it, and deservedly so.[548] He said: «I served the Prophet (ﷺ) for ten years when I was a boy.[549] And he said, "The Messenger of Allah (ﷺ) came when I was ten years old, and he died when I was twenty years old."[550] The Prophet (ﷺ) prayed that he would have a great deal of wealth, many children and live a blessed life. The Prophet (ﷺ) said, "O' Allah, grant him much wealth and many children, and bless them for him."»[551]

Adh-Dhahabi said: "The author of *at-Tahdheeb* listed nearly two hundred people who narrated from Anas.[552] He narrated 2286 hadiths, of which Bukhari and Muslim agreed upon 180. Bukhari narrated a further 80 hadiths by himself, and Muslim narrated 90 by himself.[553] Anas ibn Mâlik is regarded as the Shaykh of the senior *Tâbi'i* scholars such as al-Ḥasan al-Baṣri, Sulaymân at-Taymi, Thâbit al-Banâni, az-Zuhri, Rabee'ah ibn Abi 'Abdur-Raḥmân, Ibrâheem

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[548] *Tahdheeb al-Asmâ' wa al-Lughât*, 1/127.

[549] *Tafseer at-Tâbi'een*, 1/423.

[550] Muslim, hadith no. 2029.

[551] Ibid, hadith no. 2480.

[552] *Siyar A'lâm an-Nubala'*, 3/397.

[553] Ibid, 3/406; *Tafseer at-Tâbi'een*, 1/423.

ibn Maysarah, Yaḥya ibn Sa'eed al-Anṣâri, Muhammad ibn Sireen, Sa'eed ibn Jubayr, Qatâdah and others.[554]

Anas took an interest in serving the Sunnah by narrating and teaching, and he did some important tasks in the service of the Rightly-Guided Caliphs. They appointed him to some high positions in the Muslim state, especially during the reign of Abu Bakr and 'Umar. When Abu Moosa al-Ash'ari was appointed as governor of Baṣrah during 'Umar's reign, he brought Anas close to him and regarded him as one of his inner circle. It was narrated from Thâbit that Anas said: "We were with Abu Moosa on a journey, and the people were talking about this world. Abu Moosa said, 'O' Anas, these people are talking too much. Come, let us remember our Lord.' Then he said, 'What has slowed the people down (or held them back)?' I said, 'This world and the *Shayṭân* and their whims and desires.' He said, 'No, rather this world is close to them and the Hereafter is far away from them. By Allah, if only they could see it with their own eyes they would not turn away from it.' "[555]

Because Abu Moosa trusted Anas, he appointed him to be his messenger to the caliph 'Umar. Anas said: "Abu Moosa al-Ash'ari sent me from Baṣra to 'Umar, and 'Umar asked me about the people's situation."[556]

After the conquest of Tastar, Abu Moosa sent him to take the prisoners and booty to 'Umar, and he came to 'Umar with the governor of Tastar whose name was Hormuzân.[557]

Many of the *Ṣaḥâbah* and *Tâbi'een* narrated from Anas, especially in Baṣra. He had a great impact on the asceticism (*zuhd*)

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554 *Anas ibn Mâlik al-Khâdim al-Ameen*, by 'Abdul-Ḥameed Ṭahmâz, p. 135.
555 Ibid, p. 149.
556 Ibid.
557 Ibid.

and worship of those who were around him. Anas was very keen to teach his companions, and he loved his students very much, bringing them close to him and honouring them. He said, "How closely you resemble the Companions of Muhammad (ﷺ)! By Allah, you are dearer to me than my own children, unless my children become as good as you, and I pray for you at the end of the night."[558] That enabled him to establish a generation of scholars who acquired knowledge of hadith from him and conveyed it to others, who in turn conveyed it to those who came after them. The trustworthy companions of Anas lived until 150 A.H.[559]

4.2.4. The school of Koofah

Three hundred of those who had given their oath of allegiance at the tree settled in Koofah, as did seventy of those who had been present at Badr (may Allah be pleased with them all). 'Umar ibn al-Khaṭṭâb wrote to the people of Koofah saying: "O' people of Koofah, you are the head and skull of the Arabs, my arrow that I shoot if someone attacks me from here or there. I am sending to you 'Abdullâh whom I have chosen for you and preferred you over myself in doing so."[560] According to another report, he said: "I am sending to you 'Ammâr as a governor, and 'Abdullâh as a teacher and advisor. They are among the best of the senior Companions of the Messenger of Allah (ﷺ), so listen to them and follow their example. And I have preferred you over myself by sending 'Abdullâh to you."[561]

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[558] *Siyar A'lâm an-Nubala'*, 3/395.

[559] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 271.

[560] *Majma' az-Zawâ'id*, 9/291; its men are the men of *ṣaḥeeḥ*, apart from Ḥârithah, who is *thiqah*.

[561] *As-Sulṭah at-Tanfeedhiyah*, 1/252.

'Umar paid attention to Koofah and sent Ibn Mas'ood there, and he wrote to him saying: "The Qur'an was revealed in the language (dialect) of Quraysh, so teach it to the people in the language of Quraysh and not in the language of Hudhayl."[562]

When he walked out with a group of *Ṣaḥâbah* who were headed for Koofah, to bid farewell to them, he said to them: "You are going to the people of a town — meaning Koofah — who recite Qur'an like the buzzing of bees, so do not distract them with the hadith; focus on the Qur'an and do not narrate much from the Messenger of Allah (ﷺ). Go, and my good wishes go with you."[563]

'Umar preferred that they focus on the Qur'an rather than on the Sunnah, and we can see that in the fact that when he wanted to write down the Sunnah, he consulted the Companions of the Messenger of Allah (ﷺ), and they advised him to write it down. He kept on praying *istikhârah* for a month, then one day he decided and said: "I wanted to write down the Sunnah, but then I remembered some people who came before you: they wrote books, then they turned to these books and ignored the Book of Allah. By Allah, I do not want to cause confusion about the Book of Allah in any way, ever."[564]

'Umar's method was focused on establishing the Holy Qur'an firmly in people's hearts and not distracting them from it, until its meanings had taken root in society and its sciences were well established and people could distinguish between it and other Islamic sciences, including the hadith.[565] Since the time of the Messenger of Allah (ﷺ), there had been this focus on the Qur'an and the caution

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562 *Al-Fatḥ*, 8/265; *al-Khilâfah ar-Râshidah*, by Dr. Yaḥya, p. 209.

563 *Ṭabaqât Ibn Sa'd*, 6/7; *Fiqh 'Umar*, by Qal'aji, p. 659.

564 *Târeekh al-Madeenah*, 2/770; *Mawsoo'at Fiqh 'Umar*, p. 659.

565 *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 268.

against being distracted from it also dated from that time. 'Umar was simply following the teachings of the Prophet (ﷺ).[566]

'Abdullâh ibn Mas'ood strove hard to establish a generation that could convey the message of Allah with knowledge and understanding. He had a far-reaching impact on the hearts and minds of his companions who spent time with him and those who came after them. 'Umar bore witness to his knowledge. It was narrated that Zayd ibn Wahb said: "I was sitting among the people with 'Umar, when a small, thin man came and 'Umar looked at him with a joyful expression and said, 'A vessel filled with knowledge, a vessel filled with knowledge, a vessel filled with knowledge.' And that was Ibn Mas'ood."[567]

The school of Koofah was influenced by Ibn Mas'ood, and it was one of the schools which most closely followed and imitated its teacher, even after his death. His influence remained in Koofah for a long time after he died.[568] He was greatly influenced by 'Umar's knowledge, and he would give up his own opinion and adopt 'Umar's opinions instead. He used to say: "If the knowledge of 'Umar ibn al-Khaṭṭâb were placed in one side of the balance, and the knowledge of all the people on earth were placed on the other, the knowledge of 'Umar ibn al-Khaṭṭâb would weigh more heavily."[569]

Ibn Mas'ood (ﷺ) stood out among the *Ṣaḥâbah* for his recitation of the Qur'an. He learned seventy-odd *Soorahs* of the Qur'an from the lips of the Messenger of Allah (ﷺ). It was narrated that Shaqeeq ibn Salamah said: " 'Abdullâh ibn Mas'ood addressed us and said, 'By Allah, I learned seventy-odd *Soorahs* from the lips

[566] Op. cit., p. 260.

[567] *Ṭabaqât Ibn Sa'd*, 3/156; *al-Ḥilyah*, 1/129.

[568] *Tafseer at-Tâbi'een*, 1/462.

[569] *Al-'Ilm* by Abu Ḥaneefah; *Tafseer at-Tâbi'een*, 1/463.

of the Messenger of Allah (ﷺ), and by Allah the Companions of the Prophet (ﷺ) knew that I was the most knowledgeable of them of the Book of Allah, but I am not the best of them.' "[570]

It was narrated from Masrooq that mention of 'Abdullâh was made to 'Abdullâh ibn 'Amr, and he said: "That is a man whom I still love, after I heard the Messenger of Allah (ﷺ) say, «'Learn the Qur'an from four: from 'Abdullâh ibn Mas'ood — and he started with him — Sâlim the freed slave of Abu Ḥudhayfah, Ubayy ibn Ka'b and Mu'âdh ibn Jabal.'»"[571]

'Umar (ﷺ) acknowledged Ibn Mas'ood's great knowledge of Qur'an recitation.

And Ibn Mas'ood left behind a number of students who were famous in the fields of fiqh, knowledge, asceticism (*zuhd*) and piety, including 'Alqamah ibn Qays, Masrooq ibn al-Ajda', 'Ubaydah as-Salmâni, Abu Maysarah ibn Shuraḥbeel, al-Aswad ibn Yazeed, al-Ḥârith al-Ja'fi, and Murrah al-Hamadâni.[572]

4.2.5. The school of Syria

After the conquest of Syria, Yazeed ibn Abi Sufiyân wrote a letter to 'Umar ibn al-Khaṭṭâb in which he said: "The people of Syria are many and the cities are full; they need people to teach them the Qur'an and Islam. Help me, O' *Ameer al-Mu'mineen*, by sending me men who can teach them." 'Umar called Mu'âdh ibn Jabal, 'Ubâdah ibn aṣ-Ṣâmit and Abu ad-Dardâ' (may Allah be pleased with them all) and sent them on this great mission. He said to them: "Start with Homs, for there you will find that people differ in the ways they

[570] Bukhari, hadith no. 5000.

[571] Ibid, hadith no. 3758.

[572] *Tafseer at-Tâbi'een*, 1/472-484.

learn; some of them learn quickly. If you notice that, then teach a group of people, then when you are pleased with them, let one of them you stay on, and one of you should go to Damascus and the other to Palestine." They went to Homs and they stayed there until they were pleased with the people and the level of knowledge that they had reached. Then 'Ubâdah stayed there, and Abu ad-Dardâ' went to Damascus and Mu'âdh went to Palestine.[573]

The schools in the conquered lands whose foundations were laid by 'Umar played a role in educating the people. The Syrian school was established by the efforts of Mu'âdh, Abu ad-Dardâ' and 'Ubâdah ibn aṣ-Ṣâmit and other *Ṣaḥâbah* (may Allah be pleased with them all). Abu ad-Dardâ' had a great study circle (*ḥalaqah*) in the mosque of Damascus that was attended by more than sixteen hundred people, who would recite ten by ten, and Abu ad-Dardâ' would teach the people different recitations of the Qur'an.[574] Abu ad-Dardâ' is regarded as the *Ṣaḥâbi* who had the most influence in Syria and Damascus. Adh-Dhahabi said: "Abu ad-Dardâ' was the scholar of the people of Syria, and the teacher, *faqeeh* and judge of the people of Damascus.[575] He was one of the few most prominent *Ṣaḥâbah* (Companions of the Prophet) in knowledge of the Qur'an.[576] He encouraged the people of Syria to seek knowledge, saying, 'Why do I see your scholars dying and the ignorant among you not learning? Learn before knowledge is taken away, for the taking away of knowledge is the death of the scholars.'[577] And he encouraged the pursuit of knowledge by saying, 'Be a scholar or a learner, or a lover (of knowledge) or a follower. Do not be the fifth and be doomed.' "

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[573] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 259.
[574] *Ghâyat an-Nihâyah fee Ṭabaqât al-Qurra'* by Ibn al-Jawzi, 1/607.
[575] *At-Tadhkirah*, 1/24.
[576] *Tafseer at-Tâbi'een*, 1/526.
[577] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 256.

Al-Ḥasan al-Baṣri said: "And the fifth is the innovator."[578]

And he said: "Seek knowledge; if you cannot, then love its people; and if you do not love them, then do not hate them.[579] Learn and teach, for the scholar and the learner are equal in reward.[580] But you will never be a scholar until you are a learner, and you will never be a learner until you act on what you know."[581] And he used to say: "*You will not understand fiqh fully until you see the different* interpretations of the verses of the Qur'an."[582]

It was narrated that when 'Umar wanted to appoint Abu ad-Dardâ' as governor of Syria, he refused, but 'Umar insisted. Abu ad-Dardâ' said: "If you accept that when I go there, I will go for the purpose of teaching them the Book of their Lord and the Sunnah of their Prophet, and lead them in prayer, then I will go." And 'Umar accepted that.[583]

Because Abu ad-Dardâ' had a great deal of knowledge in various fields, his status in the eyes of the Muslims increased. He gathered many seekers of knowledge around him. Whoever had a question about the shares of inheritance and how to calculate them, or about a hadith, or about some difficult matter, or about poetry, would come to him.[584] Hence his academic influence in Syria was far-reaching, especially when it came to teaching the Qur'an.[585] His preaching was also influential. One day he stood among the people of Syria and said to them: "O' people of Syria, why do you accumulate

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[578] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 256.

[579] *Aṭ-Ṭabaqât*, 1/430.

[580] *Ṣifat aṣ-Ṣafwah*, 1/628.

[581] *Siyar A'lâm an-Nubala'*, 2/347.

[582] *Aṭ-Ṭabaqât*, 1/340.

[583] *Aṣḥâb ar-Rasool*, 2/209.

[584] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 256.

[585] Ibid, p. 256.

that which you cannot consume, and build that which you do not live in, and hope for that which you can never have? 'Âd and Thamood filled the region between Busra and Aden with wealth, children and cattle, but who will buy from what they left behind for two *dirhams*?"[586] Such teachings were in harmony with 'Umar's policies which were aimed at preparing the ummah and keeping it in a state of readiness for jihad.[587]

Mu'âdh ibn Jabal al-Khazraji (ﷺ) was a source of benefit to the people of Yemen and then to the people of Syria. 'Abdullâh ibn Mas'ood praised Mu'âdh ibn Jabal and told his companions: "Mu'âdh ﴾was an *Ummah* [a leader having all the good righteous qualities], or a nation, obedient to Allah, *Haneef* [i.e. to worship none but Allah], and he was not one of those who were *al-Mushrikoon* [polytheists, idolaters].﴿ *(Qur'an 16: 120)*." They asked, "What does *ummah* mean here?" He said, "The one who teaches the people goodness." Then he said, "Do you know what *al-qânit* (obedient) means?" They said, "No." He said, "*al-Qânit* is the one who is obedient to Allah."[588] Such was Mu'âdh ibn Jabal, whom Ibn Mas'ood likened to the Prophet Ibrâheem al-Khaleel (ﷺ), because of his vast knowledge of fiqh and his high standard of good manners. Mu'âdh was distinguished by his deep understanding of Islam, which gave him the ability to respond to difficult questions, and this earned him the acceptance and admiration of the Muslims.[589] 'Umar said of him: "Women are no longer able to bear sons like Mu'âdh."[590]

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586 *Al-Iktifa'* by al-Kalâ'i, 3/311.
587 *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 120.
588 *Siyar A'lâm an-Nubala'*, 1/450.
589 *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 285.
590 *Tahdheeb al-Kamâl*, 28/113, by al-Mazzi, quoting from *al-Anṣâr fee al-'Aṣr ar-Râshidi*.

When 'Umar was faced with difficult issues, he would consult the people of *shoora* including Mu'âdh ibn Jabal, Ubayy ibn Ka'b and Zayd ibn Thâbit from among the Anṣâr[591], because of their knowledge of fiqh and *tafseer*, and because of their realistic and practical understanding of events, and their experience, because they had issued *fatwas* at the time of the Messenger of Allah (ﷺ). 'Abdullâh ibn 'Umar (رضي الله عنه) loved to listen to the conversations of Mu'âdh and Abu ad-Dardâ', and he would say: "Tell us about the two wise men." It would be said, "Which two wise men?" He would say, "Mu'âdh and Abu ad-Dardâ'."[592]

When the caliph 'Umar ibn al-Khaṭṭâb delivered a *khuṭbah* in al-Jâbiyah, he said: "Whoever wants to ask about fiqh, let him go to Mu'âdh ibn Jabal."[593] At the beginning of Abu Bakr's reign, it was 'Umar's view that the caliphate could not do without the presence of Mu'âdh ibn Jabal in its capital, and he was opposed to sending Mu'âdh out of Madeenah. After Mu'âdh left for Syria, he used to say: "His departure is a great loss to Madeenah and its people in the area of fiqh, because they have lost his ability to issue fatwas to the people of Madeenah. I used to tell Abu Bakr to keep him here because the people need him, but he insisted and said: 'A man who desires martyrdom should not be kept behind.' I said, 'By Allah, a man may be granted martyrdom when he is in his own bed."[594]

It seems that 'Umar changed his mind after that, for he sent him to teach the people of Syria and approved of his staying there. Mu'âdh's going to Syria had a great impact because of the knowledge and fiqh that he left behind. Abu Muslim al-Khawlâni said: "I entered

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591 *Aṭ-Ṭabaqât*, 1/426.

592 *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 285.

593 *Siyar A'lâm an-Nubala'*, 1/452.

594 *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 285; *Siyar A'lâm an-Nubala'*, 1/285.

the mosque of Homs and saw nearly thirty old men of the Companions of the Prophet (ﷺ), among whom was a young man with kohl on his eyes and bright teeth, who was silent and did not speak. If the people were not sure about something, they would ask him. I said to someone who was sitting beside me: "Who is this?" He said, "Mu'âdh ibn Jabal."[595]

Mu'âdh encouraged the people to seek knowledge, and he said: "Seek knowledge, for learning for the sake of Allah is piety, seeking it is worship, discussing it is *tasbeeḥ*, pursuing it is jihad, and teaching it to one who does not know it is charity. Knowledge shows us what is *ḥalâl* and what is *ḥarâm*, and is the beacon of the people of Paradise. It brings comfort when one is lonely and shows the correct way to behave at times of ease and times of hardship. It is a weapon against one's enemies. Allah raises people (in status) because of it and makes them among the elite, leaders whose example is followed and whose opinion is adopted."[596]

He stayed in Syria, teaching the people their religion, until he was stricken with the plague of 'Amwâs (Emmaus). His companions wept over him and he said: "Why are you weeping?" They said: "We are weeping for the knowledge which will be cut off when you die." He said: "Knowledge and faith will abide until the Day of Resurrection. Whoever seeks them will find them in the Qur'an and Sunnah. Check everything you hear against the Qur'an, but do not check the Qur'an against anything that you hear."[597] For Mu'âdh, the Qur'an was the standard against which everything else was to be measured, but it was not to be measured against anything else. This was Mu'âdh's method in teaching the Qur'an, which he adhered to

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[595] *Al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 285.

[596] Ibid, p. 285; *Ḥilyah al-Awliya'*, 1/239.

[597] *Ṣifat aṣ-Ṣafwah*, 1/501; *al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 84.

until the last moment of his life. As he was dying, each time he regained consciousness and opened his eyes, he would say: "My Lord, let me die the way You want, for by Your Glory, You know that my heart loves You."[598]

'Ubâdah ibn aṣ-Ṣâmit was sent to Syria by 'Umar as a judge and teacher. He stayed in Homs, then he moved to Palestine where he was appointed as the *qâḍi* (judge) and settled there. He was the first one to be appointed as the judge of Palestine, and he also taught its people the Qur'an, and he stayed there until he died.[599]

'Ubâdah played a great role in carrying out 'Umar's policies in the fields of education and jihad. He was one of those who live an ascetic and rough life. When he came to Homs he said to its people: "This world is transient but present, and the Hereafter is a true promise. This world has its children and the Hereafter has its children, so be children of the Hereafter and do not be children of this world, for every mother is followed by her children."[600]

These were ideas which 'Umar was keen to instill in the hearts of the Muslims, and he chose those among the *Ṣaḥâbah* who could remind the people of them and embody them in their own lives. 'Ubâdah would enjoin what is good and forbid what is evil, without worrying whether anyone criticized him. When he was a judge in Palestine, he criticized the governor of Syria for something and said: "I will never stay in the same land as you." He went to Madeenah and 'Umar said, "What brings you here?" He told him, and 'Umar said: "Go back. What a bad and is the land where there are no people like you. He has no authority over you."[601] So he went back to Syria as a

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[598] *Ṣifat aṣ-Ṣafwah*, 1/501.

[599] *'Ubâdah ibn aṣ-Ṣâmit Ṣaḥâbi Kabeer wa Fâtiḥ Mujâhid*, by Dr. Wahbah az-Zuḥayli, p. 84.

[600] *Al-Iktifa'* by al-Kalâ'i, 3/310.

[601] *Siyar A'lâm an-Nubala'*, 2/122; *al-Anṣâr fee al-'Aṣr ar-Râshidi*, p. 124.

dâ'iyah and teacher and an example to his society.

'Umar also sent 'Abdur-Raḥmân ibn Ghanam al-Ash'ari to Syria to teach the people, but Mu'âdh, Abu ad-Dardâ' and 'Ubâdah were the main people he relied on to establish the school of Syria which undertook the mission of *da'wah* and teaching in that land. They had an elite group of the *Ṣaḥâbah* with them, and it was from this group that the *Tâbi'een* in Syria learned, of whom there were many but the most famous of them were 'Â'idullâh ibn 'Abdullâh Abu Idrees al-Khawlâni and Makḥool Abu 'Abdullâh ad-Dimashqi, and many others.[602]

4.2.6. The school of Egypt

Among the army of 'Amr ibn al-'Âṣ (ﷺ) which conquered Egypt there were many of the *Ṣaḥâbah*, but we can regard 'Uqbah ibn 'Âmir as the *Ṣaḥâbi* who had the most influence on Egypt in terms of knowledge. The people of Egypt loved 'Uqbah and narrated from him, and kept close to him. Sa'd ibn Ibrâheem said: "The people of Egypt used to narrate from 'Uqbah ibn 'Âmir as the people of Koofah narrated from 'Abdullâh."[603]

The Egyptians acquired knowledge from the *Ṣaḥâbah*, one of the most well known of whom was Abu al-Khayr Murshid ibn 'Abdullâh al-Yazani. He acquired knowledge from 'Uqbah, 'Amr ibn al-'Âṣ[604] and 'Abdullâh ibn 'Amr (may Allah have mercy on them).

These are the most important schools which were established through the conquests, the foundations of which were laid by 'Umar (ﷺ). When 'Umar assembled an army he would send with them

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[602] *Tafseer at-Tâbi'een*, 1/526-528.

[603] Ibid, 1/540, 541.

[604] *Ḥasan al-Muḥâḍarah*, 1/296.

men of knowledge and fiqh to teach the soldiers about their religion and whatever they might need to know of rulings, fiqhi principles and the Qur'an.[605]

When the Islamic conquests spread and there was a need for educational institutions, the Islamic cities such as Koofah, Baṣra and al-Fusṭâṭ were founded, which in addition to being military bases and centres the troops and their families gathered also became places where scholars, *fuqaha'* and preachers gathered.[606] 'Umar appointed *dâ'iyahs* and teachers, and sent them to the conquered lands, and he clearly stated that one of the most important aims of sending governors and agents to the regions was so that they could teach the people. 'Umar delivered a *khuṭbah* in which he said: "O' Allah, I call upon You to bear witness over the governors of the regions, for I have only appointed them over them so that they may judge fairly amongst them and teach the people their religion and the Sunnah of their Prophet (ﷺ), and divide the booty amongst them."[607]

'Umar allocated payments from the *bayt al-mâl* of the Muslims for teachers and *muftis* so that they could devote all their time to their missions of teaching and issuing *fatwas*. Even those who taught children were given a stipend by 'Umar. In Madeenah there were three teachers who taught children, and 'Umar gave each of them fifteen *dirhams* each month.[608] The spread of teaching was one of the most important aims of the caliph 'Umar ibn al-Khaṭṭâb. He sent people into the deserts and cities who could teach the people their religion, and he did not rely only on the efforts of the governors to spread teaching, rather he supported them with the scholars whom he sent from Madeenah, after giving them a great deal of advice. He

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605 *Al-Idârah al-'Askariyah fee ad-Dawlah al-Islâmiyah*, 2/712.

606 Ibid, 2/712.

607 Muslim, hadith no. 567.

608 Narrated by al-Bayhaqi, 6/124; *as-Sulṭat at-Tanfeedhiyah*, 2/766.

sent ten of the *Ṣaḥâbah*, among whom was 'Abdullâh al-Mughfal al-Muzani, to teach the people in Baṣra.[609] He also sent 'Imrân ibn Ḥuṣayn al-Khuzâ'i, who was one of the *fuqaha'* of the *Ṣaḥâbah*, to Baṣra to teach the people there.[610]

It seems that teaching in Syria was more centralized than in other regions, because when 'Umar conquered different countries, he wrote to Abu Moosa al-Ash'ari, who was in charge of Baṣra, telling him to build a central mosque, and to build mosques for the tribes, who were to come to the central mosque on Fridays to attend *Jumu'ah*. And he wrote to Sa'd ibn Abi Waqqâṣ, who was in charge of Koofah, with similar instructions; and he wrote to 'Amr ibn al-'Âṣ, who was in charge of Egypt, with similar instructions. But he wrote to the commanders of the troops in Syria saying that they should not go to the villages and leave the cities, and that they should build one mosque in each city, and not build mosques for the tribes as the people of Koofah, Baṣra and Egypt had done.[611]

'Umar sought to appoint specialized units and send them to the regions, and he told the leaders and governors, as the conquests spread, to establish mosques in the conquered regions to be centres for the new religion, and centres of knowledge to spread Islamic culture. The mosques were among the earliest academic institutions in Islam, through which the scholars of the *Ṣaḥâbah* were mobilized to teach the ummah, according to 'Umar's strategic plan, the foundations of which had been laid down at the time of the Prophet (ﷺ).

During 'Umar's reign, the number of mosques in which *Jumu'ah* prayers were offered reached twelve thousand.[612] They

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[609] *'Aṣr al-Khilâfah ar-Râshidah*, p. 273.
[610] Ibid.
[611] Ibid, p. 275.
[612] *Nidhâm al-Ḥukoomah al-Islâmiyah*, 2/262.

played a role in teaching and disciplining the people. When the Muslims needed to set up places separate from the mosque for teaching children, 'Umar issued orders that schools be built, and he appointed men to teach and discipline the children.[613] 'Umar encouraged the students to acquire knowledge and made it easy for them; he offered financial rewards as an incentive. He wrote to some of his agents telling them to award prizes to encourage the best students, as was manifested in his orders to Sa'd ibn Abi Waqqâṣ (ﷺ), telling him to give some of the leftover money to those who learned the Qur'an.[614]

'Umar encouraged those members of the ummah who devoted themselves to learning the Book of Allah and memorizing it, so they encountered nothing but support and encouragement, especially in the regions where the people were new in Islam, to make them or their children reach their fullest potential in memorizing and understanding the Book of Allah and the Sunnah of His Messenger (ﷺ). He took an interest in all the branches of knowledge that had anything to do with the Qur'an and Sunnah, especially the Arabic language. Among his sayings concerning that are:

"Learn Arabic, for it makes a person more logical and wise, and increases his chivalry."[615]

"Learn grammar as you learn the Sunnahs and shares of inheritance."[616]

"Learn *I'râb al-Qur'an* (syntax) as you learn to memorize it."[617]

"The worst of writing is that which is elongated without being clear, and the worst of reading is to say things unclearly, and the best of

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[613] *As-Sulṭat at-Tanfeedhiyah*, 2/768.

[614] *Ashhar Mashâheer al-Islâm*, 2/540, 541.

[615] *Mu'jam al-Udaba'*, 1/19.

[616] *Al-Bayân wa at-Tabyeen* by al-Jâḥidh, 2/219.

[617] *Alif Ba'* by al-Balawi, 1/34; *Awwaliyât al-Fârooq*, p. 458.

writing is that which is clearest."[618]

We even see that 'Umar would punish the one who made mistakes in Arabic when he was in an important position for which he was expected to be qualified. It was narrated that Abu Moosa al-Ash'ari wrote a letter to 'Umar ibn al-Khaṭṭâb (ﷺ), and 'Umar wrote back, saying: "Your scribe who wrote to me made a spelling mistake; give him one lash of the whip."[619]

Ibn al-Jazwi also narrated that the scribe of 'Amr ibn al-'Âṣ wrote to 'Umar and he wrote *Bismillâh,* but he did not write the (letter) *seen.* 'Umar wrote to 'Amr, telling him to give him one lash with the whip. 'Amr did that, and he was asked: "What did he hit you for?" He said, "For a (letter) *seen.*"[620]

'Umar was keen that everything should be done in a perfect manner, hence he did not leave alone any matter that had to do with politics, economics, armies, teaching, literature, or any other matter that had to do with the life, glory and pride of the ummah, but he became proficient in it and gave it all his attention. The comprehensive nature of his policies and his good care of the ummah is indicated by the fact that he would be strict when it was required and he would be gentle when it was required, and by the fact that he insisted that the level of writing among his governors be of a high standard (*fuṣ-ḥa*) in a nation whose constitution was the Qur'an which had been revealed in a plain Arabic tongue.[621]

The military institutions which conquered Iraq, Iran, Syria, Egypt and North Africa (the *Maghrib*) were followed by groups of teachers, *faqeehs* and *dâ'iyahs* who had been trained by the

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618 *Tadreeb ar-Râwi* by as-Suyooṭi, p. 152.

619 *Manâqib Ameer al-Mu'mineen* by Ibn al-Jawzi, p. 151.

620 Ibid, p. 151.

621 *Awwaliyât al-Fârooq*, p. 458.

Messenger of Allah (ﷺ) in Madeenah. 'Umar made use of these people by directing them in the most appropriate manner. These groups founded an academic movement which accompanied the conquests. The scholars of the *Ṣaḥâbah* who devoted themselves to calling and teaching the people managed to establish a generation of scholars of Islam among the people of the conquered areas. They were able to overcome the language barrier, because many of the foreign peoples learned Arabic and many of the pioneers in the knowledge movement after the era of the *Ṣaḥâbah* were in fact non-Arabs. The schools of knowledge and fiqh in the conquered areas had a great impact and formed a generation of scholars who transmitted the knowledge of the *Ṣaḥâbah* to the ummah, thus forming a part of the chain of narration which brought the Book of Allah and the Sunnah of His Messenger (ﷺ) to the ummah. The credit for transmitting what the *Ṣaḥâbah* had learned from the Messenger of Allah (ﷺ) must go — after Allah, of course — to the founders of the schools in Makkah, Madeenah, Baṣra, Koofah, Egypt and other regions.[622] 'Umar took an ongoing interest in the scholars and *fuqaha'*, and followed the progress of their efforts until Allah blessed their efforts and they bore fruit.

4.3. 'Umar and poetry and poets

From the reports that have reached us it seems that poetry was alive and well in Madeenah at the time of 'Umar ibn al-Khaṭṭâb. There is no book about the history of Arabic poetry that does not fail to mention 'Umar, especially on the topic of literary criticism. The spread of critical points of view during his time indicates that people would listen to and narrate poetry. It is well known that the writing of

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[622] *Ad-Dawr as-Siyâsi* by aṣ-Ṣafwah, Pp. 462-463 (page 274 note 1).

literature does not depend on chains of trustworthy narrators, but it is the only source of information on literature and literary criticism at the time of the Rightly-Guided Caliphs and the *Ṣaḥâbah* in general and the *Tâbi'een* who came after them, apart from some proverbs which were well known at the time of the Prophet (ﷺ) and were narrated in the books of hadith[623], and the poetry such as that of an-Nâbighah al-Ja'di[624], Umayyah ibn Abi aṣ-Ṣalt and Ḥassân ibn Thâbit.[625]

The source for information on poetry at the time of 'Umar is the books of literature and the men of letters, which are a rich source of information.

4.3.1. 'Umar and poetry

'Umar (ﷺ) was the most inclined of the Rightly Guided Caliphs to poetry and to commenting on it, and he quoted poetry on various occasions, so much so that it was said: " 'Umar ibn al-Khaṭṭâb was hardly faced with any situation but he would quote poetry about it."[626]

It is narrated that he went out one day wearing a new cloak, and the people stared at him and he said (in verse):

"The treasure of Hormuz could not help him; 'Âd tried to be immortal but they all failed.
Where are the kings to whom riders came from all directions?
There is a cistern from which everyone drinks and we will inevitably drink from it too."

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[623] *Majma' az-Zawâ'id*, 8/126.

[624] *Al-Madeenah an-Nabawiyah Fajr al-Islâm*, 2/98.

[625] *Al-Bayân* by al-Jâḥidh, 1/241; *al-Adab fee al-Islâm*, by Nâyif Ma'roof, p. 169.

[626] Ibid.

The researcher will note that 'Umar had memorized a great deal of poetry, both ancient and contemporary, and he could recall it and quote it readily. This indicates that he had a vast and well-organized memory, because he always had something suitable on the tip of his tongue, which he could recall with ease. He even memorized poetry that expressed hatred of Islam. He recited to Ḥassân ibn Thâbit what Hind bint 'Utbah had said against Ḥamzah and the Muslims[627], which provoked Ḥassân to retaliate in kind.

Hence we can say that 'Umar was a sensitive man of refined feelings, who could appreciate and recite poetry and express his opinions concerning it. But he was not a poet as such, as some researchers have suggested. The suggestion that he was a poet cannot be accepted by any fair-minded critic, because he lived among his people like an open book and did not conceal anything from them. He held gatherings in which he met with other people and if he had composed any poetry these people would have narrated it from him and broadcast it amongst themselves, and it would have reached us via the narrators as his life story has reached us. Moreover the earliest critics do not say anything about 'Umar being a poet, and Ibn Sallâm did not mention him in his *Ṭabaqât*, nor did Ibn Qutaybah in his book *ash-Sha'ir wa ash-Shu'ara'*. Al-Jâḥidh did not mention that in his book in which he paid a great deal of attention to 'Umar's eloquence and knowledge of literature.[628] Al-Mubarrad stated — as did Mutammam ibn Nuwayrah in his eulogy of Mâlik ibn Nuwayrah — that 'Umar said to Mutammam: "If only I could compose verse as you did when you eulogized your brother."[629]

'Umar loved that poetry that expressed the essence of Islamic life and

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[627] *'Umar ibn al-Khaṭṭâb*, p. 209, by Muhammad Abu an-Naṣr.

[628] Ibid, p. 210.

[629] *Al-Kâmil fee al-Adab*, 2/300.

explained Islamic principles and did not conflict with the teachings of the new religion or stray from its values. He encouraged the Muslims to learn beautiful poetry and said: "Learn poetry for in it are good things to be sought, bad things to be eliminated and wisdom for those who seek it, and it encourages good manners."[630]

He wrote to Abu Moosa al-Ash'ari, his governor in Iraq, saying: "Tell the people there to learn poetry, for it promotes good characteristics and enriches people's minds and increases knowledge of lineages."[631]

He did not stop there; rather he regarded poetry as the key to people's hearts which motivated them to do good. Concerning the virtue and benefits of poetry, he said: "The best skill a man can possess is the skill of composing poetry which helps him to achieve what he wants, and by means of which he seeks the sympathy of the noble and to soften the heart of the ignoble.[632]

In order to make their children's education complete, he commanded parents to recite beautiful poetry to them. He said: "Teach your children swimming and archery, train them to be skilled on horseback, and teach them beautiful poetry."[633]

'Umar also took a keen interest in the poetry of the *Jâhiliyah*, because of its connection to the Holy Qur'an, as he said: "Hold on to your records and you will never go astray." Those who were listening to him said, "What are our records?" He said: "The poetry of the *Jâhiliyah*, for in it there is an explanation of your Book and the meanings of your language."[634]

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630 *Adab al-Imla'* by as-Sam'âni, p. 71.
631 *Al-'Umdah* by Abu Rasheeq, 1/15.
632 *Al-Adab fee al-Islâm* by Dr. Nâyif Ma'roof, p. 171.
633 *Al-Kâmil fee al-Adab*, 1/227.
634 *Al-Mu'jam al-Kabeer* by aṭ-Ṭabarâni, 7/129; *al-Adab al-Islâmi*, p. 171.

This is in accordance with the attitude of his student, the interpreter of the Qur'an 'Abdullâh ibn 'Abbâs, who said: "If you read something in the Book of Allah which you do not understand, seek it in the poetry of the Arabs, for poetry is the record of the Arabs." [635]

'Umar believed that poetry was the soundest kind of knowledge from the *Jâhili* era. It is narrated that he said: "Poetry was the knowledge of the people, and they did not have any sounder knowledge than it. Then Islam came and the Arabs were distracted from poetry by jihad and fighting the Byzantines, and they did not narrate poetry. When Islam prevailed and the conquests came and the Arabs settled in the regions, they went back to narrating poetry, but they could not find anything written down, but they got used to that. Then many of the Arabs died or were killed, so only a little of it was left and most of it was lost."[636]

'Umar loved those poets who filled his heart with faith and sublime Islamic values, and put those values in verse which reflected a true commitment to Islam and spoke of the virtues encouraged by Islam. As for any other kind of poetry that went against that, 'Umar rejected it and disapproved of it, and took a strict stance against such poets. What helped him to distinguish between the two types was his well-honed sensitivity and his good taste, which went straight to the heart of the text and explored the values that were compatible with Islam and did not go against its teachings.[637]

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[635] *Al-Adab al-Islâmi*, p. 171; *al-'Umdah* by Ibn Rasheeq, 1/17.

[636] *Ṭabaqât ash-Shu'ara'* by Ibn Sallâm, 1/25; *Adab Ṣadr al-Islâm*, p. 87.

[637] *'Umar ibn al-Khaṭṭâb* by Muhammad Abu an-Naṣr, p. 218.

4.3.2. 'Umar and Ḥuṭay'ah and az-Zabarqân ibn Badr

It is narrated that the poet al-Ḥuṭay'ah — Abu Mulaykah — Jarwal ibn Aws from Banu Quṭay'ah ibn 'Abas was on his way to Iraq, fleeing from famine with his family and seeking to survive. He met az-Zabarqân ibn Badr ibn Imru' al-Qays ibn Khalaf at-Tameemi as-Sa'di[638], who was on his way to 'Umar with the zakah of his people. Az-Zabarqân recognized him and spoke with him, and realized what his situation was. So he asked him to stay with his people and wait for him to come back. So al-Ḥuṭay'ah stayed with them, but Bagheeḍ ibn 'Âmir ibn Shammâs ibn Lu'ayy ibn Ja'far Anf an-Nâqah, who was an enemy of az-Zabaqân, managed to turn him against him and win him over to his side. He incited him against az-Zabarqân, and he started to lampoon him in verse and praise Banu Anf an-Nâqah. These insults filled many stanzas, one of which az-Zabarqân sent to 'Umar, in which al-Ḥuṭay'ah said:

"Do not bother with ambition; do not travel to achieve what you aspire to.
Sit down and you will be fed and clothed."

He complained to 'Umar and said: "He has lampooned me in verse." 'Umar said, "What did he say?" He said, "He said to me, 'Do not bother with ambition...' " and quoted the lines of verse. 'Umar said: "I cannot see any insult here; it is just a rebuke." Az-Zabarqân said: "Is all my ambition simply to be fed and clothed?" 'Umar said: "Bring Ḥassân to me." So Ḥassân was brought and he asked him about it. He said: "He did not lampoon him, he defecated on him." So 'Umar imprisoned him.[639] 'Umar was the most knowledgeable of people concerning poetry, but in this case, when he was acting as a judge, he called on the help of experts in the field to give testimony,

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638 Op. cit., p. 219.

639 *Al-Adab fee al-Islâm*, p. 172.

then he issued his ruling. Al-'Aqqâd said of 'Umar in this case: "He put aside the fact that he himself was well-versed in poetry and used to narrate it; all he was thinking of was that he was the judge who tried to avoid punishments if there was any doubt, and he did not judge according to what he knew without consulting those who were highly skilled in that field."[640]

When 'Umar was in prison, he started to seek 'Umar's pity by writing poetry in which he denied what he was alleged to have done, but 'Umar did not accept his apology until he wrote more lines in which he spoke eloquently of his children, whom he described as little chicks with no feathers and no one to feed them or take care of them, because he was their only breadwinner, but he had been cast into this dark place, and he asked 'Umar to pardon him.

'Umar wept, moved by these lines of verse, and ordered that he be released. In order to silence him, he bought the honour of the Muslims for three thousand *dirhams*. Al-Ḥuṭay'ah composed more poetry complaining about that.

It seems that al-Ḥuṭay'ah was not convinced deep down that he should stop composing insulting poetry, so 'Umar summoned him, sat him down in front of him and threatened to cut out his tongue. Al-Ḥuṭay'ah said: "O' *Ameer al-Mu'mineen*, by Allah, I have lampooned my father and my mother, I have lampooned my wife and I have lampooned myself." 'Umar smiled and let him off.[641] Al-Ḥuṭay'ah stopped writing insulting poetry for the rest of 'Umar's reign.

There is another, similar, incident that was narrated by the author of *Zahr al-Âdâb*, where he said: "Banu al-'Ajlân were proud of their name, because their ancestor 'Abdullâh ibn Ka'b had been

[640] *'Abqariyah 'Umar*, p. 246.

[641] *Al-Kâmil fee al-Adab*, 2/725.

given the name of al-'Ajlân because of his haste (*ta'jeel*) in bringing food and drink to his guests. It was an honour for them, until an-Najâshi — whose name was Qays ibn 'Amr ibn Ka'b — lampooned them in a verse in which he suggested that the name had come about when others told him, "O' slave, go and milk this animal and be quick about it!"

The narrators say that Banu al-'Ajlân complained about an-Najâshi to 'Umar ibn al-Khaṭṭâb about these lines, and he imprisoned him, and it was said that he whipped him too.[642]

The caliph 'Umar punished people for lampooning others in verse, but he also punished people for other types of poetry, such as casting aspersions on the Muslims' honour, provoking hatred among the Muslims, and speaking of Muslim women in poems.[643]

4.3.3. Poetry turned 'Umar's strictness into gentleness and pity

Umayyah ibn al-Askar al-Kinâni — who was one of the leaders of his people and had a son called Kilâb — migrated to Madeenah during the caliphate of 'Umar ibn al-Khaṭṭâb, and stayed there for a while. One day he met Ṭalḥah ibn 'Ubaydullâh and az-Zubayr ibn al-'Awwâm and asked them: "What deeds are best in Islam?" He said, "Jihad." He asked 'Umar to let him join the troops who were going to fight in Persia. Umayyah stood up and said to 'Umar, "O' *Ameer al-Mu'mineen*, this day I would join the jihad, were it not for my old age." His son Kilâb, who was a devout worshipper and an ascetic, stood up and said, "O' *Ameer al-Mu'mineen*, I will sell my soul to Allah and I will sell this world for

[642] *Zahr al-Âdâb* by al-Qayrawâni, 1/54; *al-Adab fee al-Islâm*, p. 92.
[643] *Adab Ṣadr al-Islâm*, by Dr. Wâḍiḥ aṣ-Ṣamad, Pp. 92, 93.

my Hereafter." His father clung to him in the shade of the palm trees and said, "Do not leave your father and mother old and weak, who brought you up when you were small and now when they need you, you want to leave them." He said, "But I am leaving them for something that is better for me." And he went out to fight, after asking for his father's approval. His father was in the shade of the palm trees and there was a pigeon calling her chicks. The old man saw it and wept, and the old woman saw it and wept.

Umayyah was blind, so his guide took him by the hand and led him to 'Umar, who was in the mosque. The old man composed lines of verse asking 'Umar to bring his son back. 'Umar wept and wrote to Abu Moosa, ordering him to send Kilâb to him, and he sent him straight away. He came to 'Umar, who told him to come in, then he sent for Umayyah and spoke with him for a while, then he asked him what would be the best thing that he could have that day. He said: "For Kilâb to be with me so that I could smell him." He told Kilâb to come out to him, and the old man got up and started smelling his son and weeping, and 'Umar started weeping.[644] Those who were present wept too and said to Kilâb: "Stay with your parents and strive to please them as long as they are alive, then you can do whatever you like after they are gone." 'Umar ordered that he be granted a stipend and let him go with his father. Kilâb was one of the best of the Muslims, and he stayed with his parents until they died.[645]

A similar incident occurred when the well-known poet Shaybân ibn al-Mukhabbal as-Sa'di went with Sa'd ibn Abi Waqqâṣ to fight the Persians. His father al-Mukhabbal, who was old and weak, was very scared for him, and he could not bear his absence. He composed lines of verse in which he expressed his sorrow and fears.

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[644] *Al-Adab al-Islâmi*, by Dr. Nâyif Ma'roof, p. 180.

[645] *'Umar ibn al-Khaṭṭâb* by Dr. Muhammad Abu an-Naṣr, p. 228.

When 'Umar heard them, he felt sorry for him and wept. He wrote to Sa'd, telling him to send Shaybân back, so he sent him back to his father.[646]

This was not the last incident of this kind, when 'Umar was moved by poetry. Many such incidents have been narrated, such as when Kharrâsh ibn Abi Kharrâsh al-Hudhali migrated during the reign of 'Umar ibn al-Khaṭṭâb, and went out with the Muslims on a military campaign that penetrated deep into the enemy's land. Abu Kharrâsh came to Madeenah, where he sat before 'Umar and complained to him of how much he missed his son, telling him that he was a man whose family had all died and whose brothers had been killed, and he had no supporter or helper left except his son Kharrâsh, who had left him and gone out campaigning with the Muslims. He recited lines of poetry expressing these feelings. 'Umar was moved, and he wrote a letter instructing that Kharrâsh be sent back to his father. He also issued instructions that anyone who had an elderly father should not go out to fight unless he gave him permission.[647]

Thus we may note that 'Umar was moved by poetry, and because he was so moved, he would weep, even though he was the one who was known for his toughness and determination. This is indicative of sensitive and humane feelings, because he felt empathy for the elderly and feeble fathers who needed their sons. Similarly, he felt empathy for all those who were oppressed or helpless, and could feel what they felt, as we have seen above with regard to poetry which lampooned others.[648]

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[646] *Adab Ṣadr al-Islâm*, p. 90.

[647] *Al-Aghâni* by al-Aṣfahâni, 13/189.

[648] *Adab Ṣadr al-Islâm*, p. 90.

4.3.4. 'Umar's talent in evaluating poetry

'Umar ibn al-Khaṭṭâb was one of those who were most deeply influenced by the Messenger of Allah (ﷺ), even in his view of literature and his judgement of poetry and poets. There are many reports of his commenting on and critiquing literary texts, most of which reports stem from the time of his caliphate, i.e., during the last ten years of his life. These reports demonstrate how much he appreciated literature, when he had developed a complete and mature view as the result of a lifetime of education and experience. Hence we should examine the factors and circumstances that helped to develop and perfect his critical senses, taking into account the two halves of his life — *jâhili* and Islamic — as follows:

During the *Jâhiliyah*, 'Umar was one of those who were responsible for guarding the values of the *Jâhiliyah*. He enjoyed a high position among Quraysh who at that time played a central role among the other Arabs, who looked up to them and loved them. The same was true in Islam, during the caliphate of 'Umar.

'Umar was well-versed in Arabic poetry, both *jâhili* and Islamic, and he understood clearly what the *mushrikeen*, apostates and enemies of Islam said in verse against this new religion.

'Umar was knowledgeable about all aspects of Arab life both during the *Jâhiliyah* and in Islam. He knew about their beliefs, history, lineages, conduct and knowledge, which enabled him to critique words and express his opinion about them.

From an early age 'Umar was keen to join literary circles, in which there were always chatter, recitation of poetry and discussions about it, appreciating it and commenting on it. When 'Umar became Muslim, he regarded sitting with men who would select the best words in conversation as they would select the best fruits, as one of the three things that made him appreciate this world, after prayer and

jihad for the sake of Allah. 'Umar was also one of those who spent time in conversation with the Prophet (ﷺ). When he was caliph, he established a meeting place at the side of the mosque which was called *al-Baṭ-ḥa'*, which was attended by lovers and students of poetry.[649]

'Umar, the Companion of the Messenger of Allah (ﷺ), was far-sighted, brilliant, extraordinarily intelligent and inspired, which made him grasp the right meaning of things, and he was hardly ever wrong. In addition to that, he had the capacity to be moved deeply by fine verse, for which he would express his appreciation and admiration. It was narrated that Mutammam ibn Nuwayrah eulogized his brother Mâlik, who had met his end at the hands of the troops of Khâlid ibn al-Waleed during the Riddah wars, and 'Umar was so moved by his words that he went to him and said: "I wish I had eulogized my brother Zayd ibn al-Khaṭṭâb as you have eulogized your brother Mâlik." He said to him: "O' Abu Ḥafṣ, by Allah, if I had known that my brother would end up where your brother ended up, I would have had no need to eulogize him[650]." 'Umar said: "No one has ever consoled me as you did."[651]

It was narrated that 'Umar said to one of the sons of Haram ibn Sinân: "Recite to me some of what Zuhayr said praising you." So he recited it, and he said, "He was praising you and he spoke well." He said, "O' *Ameer al-Mu'mineen*, we used to reward him generously." 'Umar said, "What you gave him has gone, but what he gave you is still there."[652]

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[649] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Abu an-Naṣr, p. 244.

[650] i.e., because Mâlik would end up in Hell whereas Zayd would attain Paradise.

[651] Ibid, p. 247; *al-Kâmil* by al-Mubarrad, 2/300.

[652] *Al-Madeenah an-Nabawiyah Fajr al-Islâm wa al-'Aṣr ar-Râshidi*, 2/106.

The standards that affected 'Umar's favouring of one text over another, or one poet over another, were standards of form. These had to do with the soundness of the language, because his taste was based on the eloquence and soundness of the Arabic. He was repelled by grammatical mistakes, and any such mistakes in a text were sufficient for him to reject it; he would even punish those who made mistakes in grammar.[653]

Using familiar and simple words, and avoiding obscure and complex words

It is narrated that 'Umar would come to Zuhayr, whose poetry he liked, and the reason why he liked his poetry was that he did not use vague or unfamiliar words, and he was not long-winded, and he would not praise a man unless what he said was true.[654]

This explains the type of poetry that is acceptable in Islam: it is poetry that is clear in meaning, uses familiar words, is true to life and avoids exaggeration, because poetry calls people to a purpose and addresses the majority of people, so it should be intelligible.[655]

It is worth pointing out that the scholars of rhetoric, who subsequently wrote down the standards of rhetoric, did not go much further beyond what 'Umar stated in this regard.[656]

Clarity

'Umar wrote to Sa'd ibn Abi Waqqâṣ and said: "What prevented me from writing you a letter was my lack of information concerning your situation with regard to your enemy. Describe to me where the Muslims are camping, and the land that is between you and

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[653] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Abu an-Naṣr, p. 248.

[654] *Al-Madeenah an-Nabawiyah Fajr al-Islâm wa al-'Aṣr ar-Râshidi*, 2/102.

[655] Ibid, 2/102.

[656] *'Umar ibn al-Khaṭṭâb*, by Dr. Muhammad Abu an-Naṣr, p. 250.

al-Madâ'in as if I can see it, and give me a clear and full picture of your situation."[657] This last phrase, "Give me a clear picture" illustrates the importance of clarity of words in 'Umar's view.

The words should fit the meaning

One of the things that are narrated from 'Umar is his words: "Beware of long-windedness."[658] Imam ad-Dârimi said: "This refers to speech, by adding extra words. 'Umar wanted to avoid use of excessive words, because that dilutes the idea and distorts it."

The beauty of the right word in the right place

'Umar was repelled by words used in the wrong place, because that distorts the meaning and undermines the beauty of the words. For example, when Suḥaym the slave of Banu al-Ḥas-ḥâs said in verse:

"Grey hair and Islam are sufficient deterrent (from sin) for a man,"

'Umar said, "If you had said Islam before grey hair, I would have liked what you said."

That is because, with his good taste, he understood that Islam is the stronger deterrent both before one develops grey hair and after, so it should have been mentioned first, in accordance with its importance and the impact it has on people's hearts. This is what was lacking in this line of verse.[659]

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[657] *Majmoo'ah al-Wathâ'iq as-Siyâsiyah*, p. 414.

[658] *Sunan ad-Dârimi*, 1/9, quoting from *'Umar ibn al-Khaṭṭâb*, by Abu an-Naṣr, p. 252.

[659] *Al-Madeenah an-Nabawiyah*, by Sharrâb, 2/102; *'Umar ibn al-Khaṭṭâb* by Abu an-Naṣr, p. 253.

5. Infrastructure Development and Crisis Management at the Time of 'Umar

5.1. Infrastructure development

'Umar expanded the Mosque of the Prophet (ﷺ) and incorporated the house of al-'Abbâs ibn 'Abdul-Muṭṭalib into it. The expansion stretched ten cubits towards the *qiblah*, twenty cubits towards the west and seventy cubits towards the north. He rebuilt it with bricks and palm leaves, made its pillars of wood and gave it a roof of palm leaves, which he stuccoed to protect the people from the rain. He forbade adorning the mosque with red or yellow lest that distract the people from their prayer.[660] The mosque had a dirt floor, which he paved with stones so that it would be cleaner for those who were praying and more comfortable for walking on.[661]

'Umar also did some simple alterations to *al-Masjid al-Ḥarâm* in Makkah. He moved *Maqâm Ibrâheem* — which was attached to the Ka'bah — to the place where it is now, to make it easier for people to do *ṭawâf* and to pray, and he put the cabinet over it.[662] He bought the houses around the mosque and demolished them to add that space to the mosque. Some of the neighbours of the mosque refused to sell their houses, so he demolished them and kept the money for them to take later on. He also built low walls around the mosque so that lamps could be placed on them.[663]

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660 *'Aṣr al-Khilâfah ar-Râshidah*, p. 227; *Fatḥ al-Bâri*, 4/98.

661 *Akhbâr 'Umar*, p. 126.

662 *'Aṣr al-Khilâfah ar-Râshidah*, p. 227; *Fatḥ al-Bâri*, 8/169.

663 *Akhbâr 'Umar*, p. 126; *'Aṣr al-Khilâfah ar-Râshidah*, p. 227.

During the *Jâhiliyah*, the cover of the Ka'bah was made of leather. The Prophet (ﷺ) covered it with Yemeni cloth, then 'Umar covered it with *qibâṭi* cloth[664], which is a fine, white Egyptian cloth.[665]

Mosques were built in the new cities during 'Umar's caliphate, when Sa'd ibn Abi Waqqâṣ laid the foundations of the *Jâmi'* mosque in Koofah, 'Utbah ibn Ghazwân laid the foundations of the *Jâmi'* mosque in Baṣra, and 'Amr ibn al-'Âṣ laid the foundations of the *Jâmi'* mosque in al-Fusṭâṭ. These large mosques were places where the Muslims came to pray and where they got to know one another and studied together, where judgements were passed and the commands of the caliph were received.[666]

5.1.1. Roads and means of transportation by land and sea

The caliph 'Umar allocated a share of the Muslims' public funds to strengthening the communications between the regions of the Islamic state. 'Umar set aside a large number of camels — which were a means of transportation available at that time — to make it easy for those who had no mounts to move between the Arabian Peninsula, Syria and Iraq. He also set up something known as *dâr ad-daqeeq* (lit. house of flour) which was a place where *saweeq*, dates and raisins, and other requirements of life were stored, which could be used by stranded wayfarers and guests who were strangers. On the road between Makkah and Madeenah he provided whatever travellers would need and mounts to take them from oasis to oasis. 'Umar was following the guidance of the Qur'an which suggests that

[664] *Akhbâr Makkah* by al-Azraqi, 1/253; *Akhbâr 'Umar*, p. 126.

[665] *'Aṣr al-Khilâfah ar-Râshidah*, p. 228.

[666] Ibid.

cultural development requires effective communications, which leads to security, so the traveller did not need to carry water or provisions with him.[667] And 'Umar issued instructions to the tribes, generals and governors telling them to do the same.

It was narrated from Katheer ibn 'Abdullâh, from his father, that his grandfather said: "We came with 'Umar ibn al-Khaṭṭâb for 'Umrah in 17 A.H., and the people of the oases on the way asked him to let them build their houses between Makkah and Madeenah, where there had been nothing before, and he gave them permission, but he stipulated that the wayfarers had more right to the water and shade.[668]

We also see 'Umar's interest in keeping the roads in good repair in the treaties that he made with some of his governors in the lands that had been conquered. When Nahawand was conquered, the people of the two rivers, the Bahradhân and the Dinâr, came and asked Ḥudhayfah ibn al-Yamân for protection in return for paying the *jizyah*. He wrote a treaty for the people of each river in which he said: "In the name of Allah, the Most Gracious, the Most Merciful. This is what Ḥudhayfah ibn al-Yamân gives to the people of the Dinâr river. He gives them security with regard to their lives, their wealth and their land; they will not be forced to change their religion or prevented from performing their rituals[669], and they are to be protected, so long as they pay the *jizyah* each year, for each person who has reached the age of puberty, each according to his means, to the Muslim governor who is appointed over them, and so long as they guide the wayfarers, maintain the roads, show hospitality for one day and one night to the Muslim troops who come to them, and are sincere. If they betray and cheat us then the treaty is broken.

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[667] *Ad-Dawr as-Siyâsi* by aṣ-Ṣafwah, Pp. 189, 190.

[668] *Aḥkâm as-Sulṭâniyah* by al-Mâwirdi, Pp. 187, 188.

[669] *Ashhar Mashâheer al-Islâm*, 2/342.

Witnessed by al-Qa'qâ' ibn 'Amr and Nu'aym ibn Muqrim; written in Muḥarram 19 A.H."[670]

From this document we can see that 'Umar understood the basic principles of civilization and he made the maintenance of roads, which is vital for any nation to engage in trade and warfare, compulsory on the people of the conquered lands. From 16 A.H. onwards, 'Umar's ambition was focused on establishing cities in Iraq, digging waterways and repairing bridges.[671]

In 'Iyâḍ's treaty with the people of ar-Rahâ it says: "In the name of Allah, this is a letter from 'Iyâḍ ibn Ghanam to the bishop of ar-Rahâ. If you open the door of the city on the basis that you will pay me a *dinâr* and two *mudds* of wheat for every man, you, your lives and your wealth and those who are with you will be safe. You are obliged to guide those who are lost, maintain bridges and roads and be sincere towards the Muslims. Allah is my witness and Allah is sufficient as a witness."[672]

When 'Umar ibn al-Khaṭṭâb (may Allah be pleased with him) learned that there used to be a waterway that ran between the Nile, from a place near the fortress of Babliyon to the Red Sea, which used to connect the Ḥijâz to Egypt and facilitate trade, but the Byzantines had neglected it and it had been filled in, he ordered his governor in Egypt, 'Amr ibn al-'Âṣ (may Allah be pleased with him), to dig this waterway again. So it was dug again, and it became the route between the Ḥijâz and al-Fusṭâṭ, the then capital of Egypt. It became a channel of trade that brought prosperity to the region between the Nile and the Red Sea once again. On the banks of this waterway in al-Fusṭâṭ there were established parks, gardens and residential areas,

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670 *Ashhar Mashâheer al-Islâm*, 2/342.

671 Ibid.

672 Ibid, 2/346.

and 'Amr called it *Khaleej Ameer al-Mu'mineen* (The Channel of the Commander of the Faithful).[673]

The governor of Egypt was able to send whatever foodstuff he wanted to Madeenah and Makkah, and Allah benefited the people of the Two Sanctuaries in this manner. Food continued to be transported in this manner until after the time of 'Umar ibn 'Abdul-'Azeez. After that, the governors neglected it and it was filled in with sand and lost.

In Iraq, a waterway was dug that covered three parasangs from al-Khawr to Baṣra, to bring water from the Tigris to Baṣra.[674] These projects which dug rivers and waterways and kept the roads in good repair, and built bridges and dams, took a huge amount of wealth from the budget of the state during 'Umar's time.[675]

5.1.2. Establishing border posts and new cities as military bases and centres for the spread of culture

As the conquests spread further, the Muslim state at the time of 'Umar began to build cities on the borders and to make the means of transportation and development of the land easier. 'Umar also encouraged people to migrate to the centres where the troops gathered for jihad, and to move to the conquered lands in order to spread Islam and supply the *Mujâhideen* with men and weapons. The most important cities which were founded at this time[676] were Baṣra, Koofah, Moṣul, al-Fusṭâṭ, Giza and Sirt.[677] He made plans and allocated the troops on the basis of tribes and army divisions. In each city he established public facilities such as mosques and markets, and

673 *Al-Fârooq 'Umar* by ash-Sharqâwi, Pp. 254, 255.

674 *'Aṣr al-Khilâfah ar-Râshidah*, p. 230.

675 Ibid.

676 *Iqtiṣâdiyât al-Ḥarb fee al-Islâm*, by Dr. Ghâzi ibn Sâlim, p. 245.

677 See *Târeekh ad-Da'wah al-Islâmiyah* by Dr. Jameel al-Maṣri, Pp. 333-340.

set aside common land (*al-ḥima*) for grazing the horses and camels of the *Mujâhideen*. He encouraged the people to bring their wives and children from the cities of the Ḥijaz and all parts of Arabia to settle in these cities, so that they would become military bases from which the armies could be mobilized and supplied, to penetrate deep into enemy land and spread the call of Islam therein.

'Umar commanded the leaders of his armies, when they drew up the plans for these cities, to make the routes between them and the capital of the caliphate easy, with no seas or rivers in between, because 'Umar was concerned about the Arabs' ignorance of sea travel at that time. But when he realized that the Muslim army in Egypt had learned how to make use of the water routes on rivers and by sea, he allowed 'Amr ibn al-'Âṣ to dig a canal that connected the Nile to the Red Sea, so that food supplies could be transported to the Ḥijaz[678], as we have stated above.

'Umar ibn al-Khaṭṭâb (ﷺ) established these cities and recruited soldiers as the state expanded and the conquests increased, and the distances between the Muslims in different areas became greater. The troops needed places where they could rest from their tiring journeys, and places they where they could find shelter in the winter and when they returned from campaigns. So there were motives for building these cities. So long as the aim of conquest was to spread the call of Islam and convey it to nations, peoples and individuals, it was essential to establish Islamic life where these nations could see it in practice and these individuals could experience it. So the Islamic cities were established on an Islamic basis in which Islam could be lived out in a complete sense. Koofah, Baṣra, al-Fusṭâṭ and Moṣul were Islamic cities, at the centre of each of which was the mosque, with houses for the troops spread around it. In these model

[678] *Iqtiṣâdât al-Ḥarb fee al-Islâm*, p. 245.

societies, the Islamic idea showed its strength and foundations: its strength represented by the army and its foundations represented by the Book of Allah. These were societies which applied the rulings of Allah in full, to themselves and in all their affairs. They were always ready to shed blood for the sake of Allah. From these societies Islam emerged as a light to the conquered lands; it guided the inhabitants of those lands, applied justice in its rulings and accepted those who became Muslim. These were the most brilliant methods of spreading the message and presenting it to those who were not familiar with it.

No Islamic cities were built in Syria, because there were many houses there which had been abandoned by the Byzantines when they left, and which were taken over by the Muslims, so there was no need to build new ones. There were also many Arabs already in Syria, so each tribe could find relatives there.[679]

Among the most important cities that were founded during the time of 'Umar (ﷺ) were the following:

Baṣra

The meaning of the Arabic word *baṣrah* is rugged land with solid rocks; or it was said that it means pebbled land, or soft white rocks. Baṣra is a city which is located at the point where the Tigris and Euphrates meet, a meeting point which is known as *Shaṭṭ al-'Arab*.[680] When it was established, 'Umar's idea of paying attention to the Arab way of life was taken into account. Its location was close to water and grazing land, between cultivated land and wilderness. The reason why the Muslims had camped there during the time of Abu Bakr was that Quṭbah ibn Qatâdah adh-Dhuhali or Suwayd ibn Quṭbah — according to different reports — had been fighting the

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679 *Târeekh ad-Da'wah al-Islâmiyah*, by Dr. Jameel al-Maṣri, p. 333.

680 *Al-Fârooq 'Umar ibn al-Khaṭṭâb*, by Muhammad Rasheed Riḍa, p. 177.

Persians, along with a number of his people, in the region of Baṣra, and Khâlid ibn al-Waleed had told him to stay there as a governor and leader in that area. When 'Umar ibn al-Khaṭṭâb became caliph, he appointed 'Utbah ibn Ghazwân, one of the earliest Companions of the Messenger of Allah (ﷺ), as the governor and commander in that area, and said to him: "Keep the people of al-Ahwâz, Persia and Maysân busy there (by fighting them) and distract them from helping their brothers." And he commanded Quṭbah (or Suwayd) to join him. So 'Utbah went with more than three hundred men and Quṭbah joined him with those who were with him of Bakr ibn Wâ'il and Tameem, and camped there in *Rabee' al-Awwâl* (or *Rabee' al-Âkhir*) 14 A.H.[681]

'Utbah consulted 'Umar with regard to establishing a city in Baṣra, and he commanded him to choose a place that was close to water and pasture land. He chose the site of Baṣra and wrote to 'Umar, saying: "I have found land that is between cultivated land and wilderness, with ponds and reeds nearby." 'Umar wrote back telling him to settle there. So he settled there and built its mosque from reeds, and built his governor's house near the mosque. The people built seven residential areas from reeds too, because there were so many available there. When they went out on a military campaign, they would pull up the reeds and stack them in piles until they came back from the campaign, then they would rebuild the houses. But the reeds were burned in a fire, so they asked 'Umar for permission to build with adobe bricks and he gave them permission; that was during the governorship of Abu Moosa al-Ash'ari, after 'Utbah had died in 17 A.H. Abu Moosa built the mosque and the governor's house with adobe and mud, and gave it a thatched roof. Then he rebuilt it with stones and bricks, and allocated areas to different

[681] *Târeekh ad-Da'wah al-Islâmiyah*, p. 333.

tribes. He made the main streets sixty cubits wide, the other streets twenty cubits wide and the alleys seven cubits wide. In the middle of each loop of houses they left a spacious area to tie their horses and bury their dead, and the houses were joined on to one another.[682]

'Umar ordered Abu Moosa to dig a channel for the people of Baṣra, so he dug the channel of al-Ablah towards Baṣra for a distance of three parasangs.[683]

Thus the Muslims became pioneers in the area of town planning, and the Muslims of Baṣra became rich as the result of the conquests of al-Ablah, Dast and Maysân.[684] People were motivated to come and settle there, and they came seeking wealth as those who came before them had come seeking jihad. So a mixture of tribes and a mixture of ambitious individuals and merchants came to Baṣra and its number of inhabitants increased greatly.[685]

From the historical reports, researchers have concluded the military and economic considerations that 'Umar had in mind when he founded these cities:

These cities were established on the fringes of Arab land, next to non-Arab lands, so that they could serve as strongholds which the enemy could not hope to get past.

These locations were suitable for Arabs, because the Arabs at that time formed the majority of the forces who were engaged in jihad for the sake of Allah, and they could not live anywhere unless there was grazing for their camels, as 'Umar explained.

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[682] *Târeekh ad-Da'wah al-Islâmiyah*, p. 334.

[683] Ibid.

[684] Ibid.

[685] Ibid.

Locations for cities were chosen at the edge of wild land belonging to the Arabs so that they could find the pastures they needed for their flocks. They chose land that was also close to non-Arab villages so that the produce of these villages, such as yoghurt, wool, grains and fruits, would be readily available. When 'Umar read the letter of 'Utbah ibn Ghazwân about the land of Baṣrah he said: "This is green land that is near water and pastures and firewood."[686] This is indicative of sound military strategy and good planning which took into account the circumstances of both war and peace, as well as the necessity of securing a water supply and establishing short supply lines and sources of fuels such as firewood which every city needs.

It was also important to ensure that there were no natural obstacles such as rivers which would prevent support from the seat of caliphate from reaching the battlefront.[687]

The cities were also organized according to the tribal system of the army. Each tribe was accommodated in houses in a single neighbourhood.[688]

Koofah

Historians are agreed that Sa'd ibn Abi Waqqâṣ (ﷺ) is regarded as the original founder of this city. He chose its location and ordered that it be planned and laid out after a series of victories which the Muslims achieved in their wars against the Persians in the region of al-Madâ'in. As was the case in the selection of the location for Baṣra, military factors played a basic role in motivating Sa'd to think of choosing a place for the *Mujâhideen* to camp[689], which he did after

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[686] *Futooḥ al-Buldân* by al-Balâdhuri, p. 341.
[687] Ibid, p. 275.
[688] *Iqtiṣâdiyât al-Ḥarb fee al-Islâm*, p. 247.
[689] *Dirâsât fee Târeekh al-Mudun al-'Arabiyah al-Islâmiyah* by Dr. 'Abdul-Jabbâr Nâji, p. 183.

'Umar commanded him to do so. Sa'd's choice of a location for Koofah was in accordance with the standards laid down by 'Umar, who had noticed a change in the faces of those who came from al-Qâdisiyah and al-Madâ'in, and he realized that this was due to the bad climate. So he wrote to Sa'd ibn Abi Waqqâṣ, telling him to find a place that suited them and their camels. He sent Salmân al-Fârisi and Ḥudhayfah ibn al-Yamân as scouts to look for the best location for Koofah, and they found a spot between al-Ḥeerah and the Euphrates. It was so called because it was sandy and pebbly, and such land is called *koofah* in Arabic.[690]

So Sa'd moved from al-Madâ'in to Koofah in Muḥarram 17 A.H. 'Umar wanted the Muslims to stay in their tents because that was better for the purpose of war, and made them look ready and more frightening to their enemies. But when the people of Koofah and Baṣra asked him for permission to build with reeds, he did not want to go against their wishes and he gave them permission. So the people built with reeds, then the fires in Koofah and Baṣra destroyed the reeds, so they asked 'Umar for permission to built with adobe and he said, "Do that, but no one of you should have more than three rooms; and do not compete in constructing tall buildings." 'Umar wrote to 'Utbah and the people of Baṣra with similar instructions. He put 'Âṣim ibn ad-Dulaf Abu al-Jardâ' in charge of the settlement and construction of Koofah, and Abu al-Hayyâj ibn Mâlik al-Asadi in charge of the settlement and construction of Baṣra. Abu al-Hayyâj planned the layout of Koofah in accordance with 'Umar's instructions. The main roads were to be forty cubits wide, secondary roads were to be thirty cubits wide, lesser roads were to be twenty cubits wide, and the alleys were to be seven cubits wide, and there was nothing narrower than that. The first thing that he planned was

690 *Târeekh ad-Da'wah al-Islâmiyah*, p. 335.

the city's mosque, then a skilled archer stood in the middle of the city and shot arrows to his right and his left, in front of him and behind him. Then he ordered that construction should begin outside the area defined by the arrows. In front of the mosque he built a canopy for shade which covered two hundred square cubits and was supported on columns of marble. They built a house for Sa'd near the mosque, with a roadway between the two buildings, and they put the treasury (*bayt al-mâl*) in that house. The construction was done by Roozabah al-Fârisi.[691]

After it was founded, it was inhabited by Muslim *Mujâhideen*, then by a Persian group of four thousand, which was one of the brigades of Rustam who were known as the troops of the Shahinshah, and who sought safety to camp wherever they wanted and to make alliances with whomever they wanted, and to be given some salary. Sa'd gave them what they wanted. They had a leader whose name was Daylam, and they were known as Ḥamra' Daylam.[692]

Koofah was also settled by some of the Jews and Christians of Najrân when 'Umar expelled them from the Arabian Peninsula. They settled in an area of Koofah which became known as an-Najrâniyah.[693]

After the establishment of Baṣra and Koofah they became important and famous as centres of jihad and of knowledge and literature throughout the Muslim world. The seat of power moved there from the Ḥijaz when 'Ali ibn Abi Ṭâlib (ﷺ) adopted Koofah as the seat of his caliphate, after the centre of Islamic power moved to the cities in general.[694]

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[691] *Târeekh aṭ-Ṭabari*, 5/17.

[692] *Târeekh ad-Da'wah*, p. 336.

[693] *Târeekh ad-Da'wah al-Islâmiyah*, p. 336.

[694] Ibid, p. 338.

'Umar (ﷺ) based the planning of Baṣra and Koofah on sound principles, making the roads wide and well organized, which is indicative of his brilliance in the field of construction. Koofah combined the role of a city with the fresh air and earth of the countryside, which was more healthy and comfortable, because wide roads in the city act like lungs in the body. 'Umar wanted those who settled in Koofah to live in tents because it would be quicker to mobilize them when needed and more alarming in the eyes of the enemy, but subsequent developments led to the city being built of bricks.[695]

'Umar's fear that the Muslims would start to indulge in a life of luxury and ease

'Umar feared that the Muslims would start to indulge in a life of luxury and ease, which would lead to regrettable consequences in this world and in the Hereafter. When people settled in Koofah and Baṣra, they went back to their old habits. Then the people of Koofah asked for permission to build with reeds, and the people of Baṣrah did likewise. 'Umar said: "Tents are better for you, because you are in a state of war, but I do not want to go against your wishes. What are reeds?" They explained that to him, and he said: "It is up to you." So the people of the two cities built houses with reeds.[696]

Then fires broke out in Koofah and Baṣra, and the worst hit of the two was Koofah, where eighty houses were burned and there was nothing left. The people kept on talking about that, and Sa'd sent a group of them to 'Umar, to ask him for permission to build with adobe bricks. They came to him with news of the fire and what had happened to them — and they never did anything or refrained from anything without consulting him. He said, "Do that, but no one of

[695] *Al-Khulafa' ar-Râshidoon,* p.182.
[696] *Târeekh aṭ-Ṭabari,* 5/15.

you should have more than three rooms, and do not compete in constructing lofty buildings. Adhere to the Sunnah and you will prevail." So the people went back to Koofah with this message, and 'Umar wrote to 'Utbah and the people of Baṣrah with a similar message. 'Umar also advised that delegation, and asked the people in general, not to make their buildings any taller than what is reasonable. They said: "What is reasonable?" He said: "That which does not bring you close to extravagance and which serves the intended purpose."[697]

From this report it is obvious that those people did not care about worldly show. All they wanted in their dwellings was protection from the sun, rain, cold and heat, and they did not care about having palaces or lofty houses. Hence they chose to build with reeds, which were the easiest things available to them, until they were forced to build with mud bricks. But nevertheless we see 'Umar imposing restrictions on them, to prevent them competing in constructing lofty buildings. This is indicative of his farsightedness concerning the wealth which he expected the ummah to acquire after the conquests. With these and similar instructions he sought to check the ummah's rush towards extravagance and luxury, and to make it live a life of moderation. From the words of 'Umar it is clear that what is meant by the kind of construction in which there is no goodness is that which is luxurious and goes beyond the level of moderation. One of the greatest manifestations of extravagance is competing in the construction of lofty buildings, because construction consumes a great deal of a person's wealth and time, and if a person focuses on it, it will dominate his thoughts and become the major concern with some people.[698] 'Umar was worried about the worldly gains made by the ummah during his reign, and he

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[697] *Târeekh aṭ-Ṭabari*, 5/16.
[698] *At-Târeekh al-Islâmi*, 19, 20/22.

tried to prevent them from indulging in that. He wanted the construction of houses to be a simple matter that could be achieved within a short period of time. Nowadays building a house may take years and put a person in debt which he does whatever he can to pay off; years may pass without him paying a penny in zakah even though he is regarded as well off, because the palaces that most people aspire to require high quality furniture and other extravagances that drain the energy of the one who seeks them and keep him working hard for many years as he seeks to compete with others in worldly matters. In the midst of this competition, he neglects some of the essential duties of Islam, such as the financial acts of worship, chief among which is zakah and spending on the *Mujâhideen* who are striving for the sake of Allah. People may also be distracted by such worldly pursuits from other important duties such as prayer and seeking knowledge.[699]

"That which does not bring you close to extravagance and which serves the intended purpose"

This means that the kind of construction that is allowed in Islam is that which does not bring a person close to extravagance and does not go beyond the limit prescribed in Islam or go beyond the bounds of moderation. 'Umar did not strictly define that for them, because each land has its own customs as to what constitutes extravagance, moderation and stinginess. So what is moderate is to be defined according to the prevailing custom in the land among the middle ranks of those who are righteous in terms of worldly matters.[700]

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[699] *At-Târeekh al-Islâmi*, 19, 20/22.
[700] Ibid, 19, 20/23.

"Adhere to the Sunnah and you will prevail"

This means that adherence to the way of the Messenger of Allah (ﷺ) is a cause of prevailing over the people and being given power in the land, as Allah (ﷻ) says:

﴾Allah has promised those among you who believe and do righteous good deeds, that He will certainly grant them succession to [the present rulers] in the land, as He granted it to those before them, and that He will grant them the authority to practise their religion which He has chosen for them [i.e. Islam]. And He will surely, give them in exchange a safe security after their fear [provided] they [believers] worship Me and do not associate anything [in worship] with Me. But whoever disbelieved after this, they are the *Fâsiqoon* [rebellious, disobedient to Allah].﴿ *(Qur'an 24: 55)*

'Umar encouraged people to shun worldly gains even though at that time the Muslims were competing with one another in asceticism and shunning worldly gains. So how about those who came after them, who competed with one another in worldly gains? 'Umar was also keen to tackle the issue of materialistic accumulation at his time, when Persia and parts of the Byzantine lands had been conquered and Allah had granted a great deal of wealth to the Muslims from the booty acquired through conquest and the taxes acquired from those lands. He delivered an eloquent *khuṭbah* in which he described the new situation and advised the Muslims to follow the better way.

He said: "Allah — All-Glory and Praise be to Him — has made it obligatory upon you to give thanks, and He has established proof by guiding you to the honour of this world and the Hereafter, without you asking for it or desiring it. He created you from nothing so that you might worship Him, and He was able to make you the least significant of His creation, but He made most of His creation for

you and did not create you for anyone else but Himself. He has subjugated for you everything that is on land and sea, and has granted you goodly provision so that you might give thanks. Then He gave you hearing and sight. Some of His blessings are granted to all the sons of Adam and some are granted only to the followers of your religion. Now these blessings have all fallen under your control in your time. There is not a single blessing that has come to any specific person but if it were to be divided among all the people they would have to strive hard to give proper thanks for it, and they would not be able to do so without the help of Allah and without believing in Allah and His Messenger. You have been granted authority in the land and are subjugating its people. Allah has granted victory to your religion, and there are only two types of people left: those who have become subjugated to Islam and its people, who pay the *jizyah* to you from the best of their wealth, who work hard and you benefit; and those who are expecting the decree of Allah to befall them at any moment, day or night, whose hearts are filled with fear; they have nowhere to run or hide, for the troops of Allah are about to attack and will soon conquer their lands. With the abundance of wealth, continuing conquests, guarding the borders by Allah's leave, with the general well being which has never been experienced since the beginning of Islam, Allah is to be praised for the great conquests in every land. What thanks can there be in comparison to all these innumerable blessings? No one can give sufficient thanks except with the help and mercy of Allah. We ask Allah, besides Whom there is no other god, to bestow this upon us, to help us to obey Him and hasten to please Him. O' slaves of Allah, remember Allah's blessings to you and praise Him for His favours. Allah (ﷻ) said to Moosa:

﴾... Bring out your people from darkness into light, and remind them of the annals of Allah...﴿ *(Qur'an 14: 5)*

And He said to Muhammad (ﷺ):

﴾And remember when you were few and were reckoned weak in the land...﴿ *(Qur'an 8: 26)*

If you had been reckoned weak in the land and were deprived of the good of this world whilst adhering to a branch of faith and believing in it, finding comfort in it and having knowledge of Allah and His religion, putting your hopes in the Hereafter, that would have been fine. But you were living a hard life and were ignorant of Allah. If Islam had been the only thing that Allah had given you and there were no worldly blessings with it except that blessing in the Hereafter where everyone will end up, and you had faced hardship in life as you did before you became Muslim, then you should be very keen to adhere to Islam and support it against all others. So how about when you have been granted the best of this world and of the Hereafter, and whoever among you want to do so may have both? I remind you that Allah knows what is in your hearts, so you should remember the rights of Allah and strive for His sake, and force yourselves to obey Him. Try to combine your delight in these blessings with the fear that they may disappear and be taken away... It is my duty before Allah to enjoin upon you that which is good and to forbid to you that which is evil."[701]

Al-Fusṭâṭ

If Sa'd ibn Abi Waqqâṣ is regarded as the founder of Koofah, 'Amr ibn al-'Âṣ is regarded as the founder of al-Fusṭâṭ. After he had conquered Alexandria, he wanted to settle there, but 'Umar ibn al-Khaṭṭâb wrote to him, saying: "Do not let there be any water between me and you, so that I can come to you." So he moved from Alexandria to al-Fusṭâṭ.[702]

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701 *Târeekh aṭ-Ṭabari,* 5/211, 212, 213.

702 *Futooḥ Miṣr* by Ibn 'Abdul-Ḥakam, p. 91. It is called al-Fusṭâṭ because he set up his tents (*fusṭâṭ*) there.

The first thing he did there was to build its mosque which was named after him, like the mosque that he built in Alexandria. Then he built a house for 'Umar ibn al-Khaṭṭâb, which he probably intended to be for the caliphs. 'Umar ibn al-Khaṭṭâb wrote to him and told him to make it a marketplace for the Muslims.[703] 'Amr ibn al-'Âṣ built two houses for himself near the mosque, as Ibn 'Abdul-Ḥakam tells us: " 'Amr ibn al-'Âṣ laid the foundations for his house which is now at the gate of the mosque, with the road running between them and his other house, which is attached to the side of it.[704] He may have built one house for himself and the other as an administration building, after 'Umar had told him to demolish the house mentioned above.

'Amr ibn al-'Âṣ delegated a number of senior *Ṣaḥâbah* who were with him to allocate an area for the houses of each tribe, and these areas were clearly delineated, like quarters or neighbourhoods nowadays. But they were not so big as to have roads between one tribe and another. They were probably not roads as we know them nowadays but rather small footpaths between one quarter and the next. That group of *Ṣaḥâbah* was composed of Mu'âwiyah ibn Khadeej at-Tajaybi, Shareek ibn Summi al-Ghuṭayfi, 'Amr ibn Maḥram al-Khawlâni and Huwayl ibn Nâshirah al-Mu'âfiri. They are the ones who allocated land to different tribes in 21 A.H.[705] Although we do not have room here to list all the neighbourhoods, we may mention some of them, such as: Aslam, al-Laytoon, Bani Mu'âdh, Bali, Bani Baḥr, Mahrah, Lakhm, Ghâfiq, aṣ-Ṣadaf, Ḥaḍramawt, Tajeeb, Khawlân, Mudhḥaj, Murâd, Yâfi', Mu'âfir and al-*Ash'ariyoon*.[706] From these names the researcher will see that many

[703] *'Amr ibn al-'Âṣ al-Qâ'id wa as-Siyâsi*, p. 135.

[704] *Futooḥ Miṣr,* Pp. 96-97.

[705] *'Amr ibn al-'Âṣ al-Qâ'id wa as-Siyâsi*, p. 136.

[706] *Futooḥ Miṣr,* Pp. 115-129.

tribes — Arabs and otherwise — took part in the conquest of Egypt, hence there were many quarters formed of these tribes. Each tribe wanted to have its own area where it could run its own affairs. We also learn that the plans approved by 'Amr ibn al-'Âṣ to divide the land among these tribes were well thought out.[707] Each tribe built a mosque in the middle of its area. In his book *al-Faḍâ'il al-Bâhirah fee Maḥâsin Maṣr wa al-Qâhirah*, Ibn Zaheerah quoted Ibn Zawlâq's comments on the early mosques of al-Fusṭâṭ. He said that the first mosque was that of 'Amr ibn al-'Âṣ, then he listed other mosques that were named after individuals[708], after which he said: "Apart from those that we have mentioned, there are two hundred and thirty-three other mosques that were built by the *Ṣaḥâbah* when they conquered Egypt, and they were built to accommodate each tribe."[709]

'Amr ibn al-'Âṣ did well in his choice of location, because it facilitated contact with the caliphate as well as being centrally located between the north and south of the country and close to the Nile.[710]

Sirt in Libya

After Barqah became a base for Islam in the west of Egypt, 'Amr ibn al-'Âṣ and his troops set out from there for Tripoli. He began with the city of Sirt which is between Barqah and Tripoli and took control of it. The Muslims adopted it as a base for expeditions to the west from 22 A.H., and it remained a base for the Muslim forces and was a centre for 'Uqbah ibn Nâfi' whose main aim was to spread Islam in the nearby oases of Fazzân, Waddân, Zuwaylah and Sudan.[711]

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[707] *'Amr ibn al-'Âṣ al-Qâ'id wa as-Siyâsi*, p. 137.

[708] *Ahl al-Fusṭâṭ* by Dr. Ṣâliḥ Aḥmad al-'Ali, p. 38.

[709] Ibid, p. 38.

[710] *Târeekh ad-Da'wah al-Islâmiyah*, by Dr. Jameel al-Miṣr, p. 339.

[711] Ibid, p. 340.

Garrisons stationed in the conquered cities

'Umar set up garrisons in the conquered cities throughout the conquered lands, especially in Syria. They had barracks where the soldiers stayed and in every camp there were stables for the horses, in which there were no less than four thousand horses with all their equipment which was kept in a state of readiness[712], so that if necessary the generals could head out for the battlefield within the shortest time, with more than 36 thousand horsemen in one go in Syria alone. In each garrison, a huge area was set aside for these horses to graze. Each horse was marked on its thigh with the words *Jaysh fee sabeel-illâh* (an army for the sake of Allah), in accordance with the verse:

﴾And make ready against them all you can of power, including steeds of war to threaten the enemy of Allah and your enemy, and others besides whom, you may not know but whom Allah does know...﴿
(Qur'an 8: 60)

Garrisons in Syria

These garrisons in Syria included the following:

The garrison of Damascus:

During 'Umar's time this garrison was commanded by three people who were, in order: Yazeed ibn Abi Sufiyân, Suwayd ibn Kulthoom, and Mu'âwiyah ibn Abi Sufiyân.

The garrison of Homs:

It was commanded by Abu 'Ubaydah 'Âmir ibn al-Jarrâḥ, then by 'Ubâdah ibn aṣ-Ṣâmit, then by 'Iyâḍ ibn Ghanam, then by Sa'd ibn 'Âmir ibn Ḥudhaym, then by 'Umayr ibn Sa'd, then by 'Abdullâh ibn Qaraṭ.

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[712] *Al-Bidâyah wa an-Nihâyah*, 7/138; *Târeekh ad-Da'wah*, p. 341.

The garrison of Qinnasreen:

It was commanded by Khâlid ibn al-Waleed, then by 'Umayr ibn Sa'd.

The garrison of Palestine:

This was headed by Yazeed ibn Abi Sufiyân, then by 'Alqimah ibn Majzaz.

The garrison of Jordan:

The centre of which was Tiberias, was commanded by Shuraḥbeel ibn Ḥasanah, then by Yazeed ibn Abi Sufiyân, then by Mu'âwiyah. Mu'âwiyah took charge of the garrisons of Damascus and Jordan after Yazeed died in the plague of 'Amwâs.[713]

The desire for jihad and seeking the pleasure of Allah motivated many of the *Ṣaḥâbah* and the scholars among the *Tâbi'een* to move to these cities, which were called *thughoor* (outposts) and spread the call of Islam and jihad for the sake of Allah, and teach the people the Qur'an and Sunnah. Madeenah, Baṣra, Koofah, Damascus and al-Fusṭâṭ all became areas which attracted people to come and settle in them, seeking knowledge and jihad, or seeking to enlist in the army and be given a stipend, or to engage in trade and learn new skills. Thus these cities became beacons of culture and development in which all branches of knowledge flourished and all kinds of skills and professions developed.[714]

[713] Op. cit., p. 341.

[714] *Iqtiṣâdiyât al-Ḥarb fee al-Islâm*, p. 250.

5.2. Economic crisis (the year of ar-Ramâdah)

During the reign of 'Umar the Islamic state was faced with severe trials. This is something that all nations, states, peoples and societies must inevitably undergo, and the Muslim ummah is one of these nations. The laws of Allah do not change or alter. Among the greatest trials that were faced at the time of 'Umar were the year of ar-Ramâdah and the plague of 'Amwâs. In this section we will discuss how 'Umar dealt with these crises and the measures he took, how he beseeched Allah and called upon Him. In 18 A.H. the Arabian Peninsula was struck by a severe famine and drought, and hunger grew so severe that the wild animals started coming into the towns, and if a man slaughtered a sheep he would not be able to eat it because it was so scrawny, and the flocks died of hunger. This year was called the year of ar-Ramâdah because the wind blew the dust around like ashes (ar-ramâd). The drought was severe and there was no food to be had. The people flocked from the farthest deserts to Madeenah to stay in the city or nearby, seeking a solution with the caliph. 'Umar felt the impact of this calamity more than anyone else, and he was well aware of the burden of responsibility.[715] It is possible to note the following steps that 'Umar took to deal with this crisis:

5.2.1. Setting an example to the people himself

During the year of ar-Ramâdah, some bread soaked in ghee was brought to 'Umar. He called a Bedouin man to eat with him, and the Bedouin started to wipe up extra ghee with his finger after each mouthful. 'Umar said to him: "It seems that you have not had any fat for a long time." The Bedouin said, "I have not eaten any ghee or

[715] *Fann al-Ḥukm*, 68; *al-Bidâyah wa an-Nihâyah*, 7/98; *Târeekh aṭ-Ṭabari*, 5/75.

olive oil, nor have I seen anyone eating them, since such and such a time until today." 'Umar swore that he would not taste any meat or ghee until the famine was over and the people went back to normal. The narrators are unanimously agreed that 'Umar was very strict in fulfilling this vow. For example, when a skin full of ghee and some yoghurt came to the market, 'Umar's slave bought them for forty *dirhams* and brought them to 'Umar and said: "O' *Ameer al-Mu'mineen*, Allah has fulfilled your oath and your reward will be great. Some yoghurt and ghee came to the market and I bought them for forty *dirhams*." 'Umar said, "That is too expensive; give them in charity, for I do not want to eat something extravagant." Then he followed that by saying, "How could I care for the people properly if I do not feel what they feel?"[716]

These words of 'Umar explain one of the most brilliant principles of the art of ruling that humanity has ever known: how can a ruler really care for his people if he does not feel what they feel?[717]

During the year of ar-ramâdah, 'Umar was affected so much that his colour changed. It was narrated that 'Iyâḍ ibn Khaleefah said: "I saw 'Umar during the year of ar-ramâdah and his face looked black. He was an Arab man who used to eat ghee and yoghurt, but when the famine came he forbade himself to eat those things, and he ate olive oil until his colour changed and he became very hungry."[718] It was narrated that Aslam said: "We used to say that if Allah had not lifted the famine during the year of ar-ramâdah, we thought that 'Umar would have died out of concern for the Muslims."[719]

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[716] *Târeekh aṭ-Ṭabari*, 5/78.

[717] *Fann al-Ḥukm*, p. 71.

[718] *Aṭ-Ṭabaqât*, 3/314.

[719] *Aṭ-Ṭabaqât*, 3/315; *Maḥḍ aṣ-Ṣawâb*, 1/363.

'Umar used to fast all the time, and during the year of ar-ramâdah, when evening came he would eat some bread soaked in olive oil. Then one day he slaughtered a camel to feed the people, and they kept the best parts for him. They brought him some of the hump and liver. He said: "Where did this come from?" They said, "O' *Ameer al-Mu'mineen*, it is from the camel that we slaughtered today." He said, "No, no, what a bad ruler I would be if I ate the best of it and gave its bones to the people. Take this plate away and bring me some other food." Some bread and oil was brought to him and he started to break the bread and dip it in the oil, then he said: "Woe to you, O' Yarfâ'[720]; take this dish to the household of Yathmagh, for I have not been to them for three days and I think that they have nothing to eat, so give it to them."[721]

This is how 'Umar was, and this is the art of ruling in Islam, where the ruler should put the people before himself so that they eat better than he does. Even though with the burdens of ruling he had to put up with more than they do, and suffer much more than they did, 'Umar did not put restrictions on himself only, rather he applied the same restrictions to the members of his family. They also had to suffer more than the people did. One day during the year of ar-ramâdah, he saw one of his sons holding a piece of watermelon and said, "No, no, O' son of the *Ameer al-Mu'mineen*! How can you eat fruit when the ummah of Muhammad is starving?" The boy ran away crying, and 'Umar did not rest until he had asked him about that, and found out that his son had bought it for a handful of dates.[722]

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[720] Yarfâ' was 'Umar's doorkeeper, who had experienced the *Jâhiliyah* and performed Ḥajj with 'Umar during the caliphate of Abu Bakr.

[721] *Aṭ-Ṭabaqât*, 3/313; *ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 294.

[722] *Aṭ-Ṭabaqât*, 3/315; *Maḥḍ aṣ-Ṣawâb*, 1/363.

'Umar's awareness of the responsibility of ruling before Allah overwhelmed him, and he did not leave any means, spiritual or worldly, of dealing with the famine and lack of rainfall, but he resorted to it. He continually prayed and asked for forgiveness, and he was always keen to provide food to the Muslims, thinking of his people, those who had come to Madeenah and those who had remained in the desert. He dealt with the whole situation in an efficient manner... After that he checked himself with brilliant harshness, until those who were around him during this crisis said: "If Allah had not lifted the famine during the year of ar-Ramâdah, we thought that 'Umar would have died out of concern for the Muslims."[723]

5.2.2. Refugee camps during the year of ar-Ramâdah

It was narrated that Aslam said: "During the year of ar-Ramâdah, the Arabs came from all directions to Madeenah. 'Umar ordered some men to look after them, and I heard him say one night: "Count how many people ate supper with us." So they counted them and found that there were seven thousand men. They counted the sick men and children, and there were forty thousand of them. A few days later the number of men and children reached sixty thousand. Shortly after that, Allah sent rain, and when it rained, I saw 'Umar had appointed men to take them back out to the desert, and he gave them food and lambs. But death had already begun to stalk them and I think that two-thirds of them died. The workers would set up 'Umar's cooking pots from the end of the night and make soup and a kind of bread.[724] 'Umar divided the work up among his workers and set up an institution to help the refugees, in which every worker knew

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[723] *Fann al-Ḥukm*, p. 71; *aṭ-Ṭabaqât*, 3/315.

[724] *Târeekh adh-Dhahabi*, p. 274.

exactly what he was supposed to be doing, and did not duplicate the work assigned to someone else.[725] He appointed people in different parts of Madeenah to check on the people who had gathered there to seek food because of the severe drought and famine that had befallen them; they would supervise the distribution of food to the people. When evening came, they would meet with him and tell him about what they had done, and he would give them further instructions.[726]

'Umar fed the Bedouins from Dâr ad-Daqeeq, which was one of the economic institutions that were set up at the time of 'Umar to distribute food to those who came to Madeenah. It distributed flour, *saweeq*, dates and raisins from the stores in Dâr ad-Daqeeq before supplies started to come from Egypt, Syria and Iraq. The Dâr ad-Daqeeq had expanded and was able to feed the tens of thousands who came to Madeenah for nine months, before the rains came and people were able to go back to normal.[727]

This is indicative of 'Umar's wisdom in developing the institutions of the state, whether financial or otherwise. He himself worked in those camps. Abu Hurayrah said: "May Allah have mercy on Ibn Ḥantamah (i.e., 'Umar). I saw him in the year of ar-ramâdah, carrying two sacks on his back and a container of oil in his hand, taking turns with Aslam to carry them. When he saw me, he said: 'Where did you come from, O' Abu Hurayrah?' I said, 'From nearby.' I started helping him and we carried those things until we reached Ḍirâr, where there was a group of about twenty families from (the tribe of) Muḥârib. 'Umar said, 'What brings you here?' They said, 'Hunger.' They brought out to us the baked skin of a dead animal that they had been eating, and some ground up bones that they

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[725] *Al-Kafâ'ah al-Idâriyah*, by Dr. 'Abdullâh Qâdiri, p. 107.

[726] *Al-Kafâ'ah al-Idâriyah*, p. 115.

[727] *Al-Madeenah an-Nabawiyah Fajr al-Islâm*, 2/37, 38.

had been eating. I saw 'Umar put down his cloak and start to cook for them and feed them until they had eaten their fill. Then he sent Aslam to Madeenah and he brought some camels which he gave them to ride until he brought them to al-Jabbânah. Then he gave them some clothes, and he kept checking on them and on others until Allah relieved them of that drought."[728]

'Umar would lead the people in praying *'Ishâ'*, then he would go out to his house, where he would continue praying until the end of the night, then he would go out to al-Anqâb and check on the people there. 'Abdullâh ibn 'Umar said: "One night I heard him at the end of the night, saying, 'O' Allah, do not destroy the ummah of Muhammad during my caliphate' and, 'O' Allah, do not destroy us by famine; relieve us of this calamity,' and repeating these words."[729]

Mâlik ibn Aws (from Banu an-Naṣr) said: "In the year of ar-Ramâdah, my people came to 'Umar with one hundred families and camped in al-Jabbânah. 'Umar would feed the people who came to him, and he would send flour, dates and condiments to those who could not come to him. He used to send what my people needed month by month, and he would care for the sick among them and send shrouds for those who died. 'Umar himself would come and offer the funeral prayer for them, and I saw him praying for ten people at one time. When the famine was over, he said: "Leave the city and go back to your way of life in the desert." 'Umar gave mounts to the weak among them, until they reached their own land.[730]

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[728] *Akhbâr 'Umar*, p. 111; quoting from *ar-Riyâḍ an-Naḍrah.*

[729] Ibid, p. 111.

[730] *Akhbâr 'Umar*, p. 112; *Ibn al-Jawzi*, p. 61.

It was narrated from Ḥazm ibn Hishâm that his father said: "I saw 'Umar ibn al-Khaṭṭâb in the year of ar-ramâdah passing by a woman who was making *'aṣeedah* (a gruel made of flour with butter and honey). He said, 'You do not make *'aṣeedah* like that.' Then he took the spoon and said, 'Like this,' and he showed her how, saying, 'Do not put the flour in until the water is hot; add it little by little and stir it as you are adding it, otherwise it will clump together.' One of 'Umar's wives narrated that 'Umar did not approach any of his wives (for intimacy) during the time of ar-Ramâdah until the famine was over, because of his worry.[731] It was narrated that Anas said: "The stomach of 'Umar ibn al-Khaṭṭâb rumbled during the year of ar-Ramâdah. He used to eat olive oil and he forbade himself ghee. He patted his stomach and said, 'You may rumble, but we have no other food until the famine is over.'"[732]

5.2.3. Seeking help from the people in other regions

'Umar hastened to write to his governors in rich lands and ask them for help. He sent word to 'Amr ibn al-'Âṣ, his governor in Egypt, saying: "From the slave of Allah 'Umar ibn al-Khaṭṭâb, the *Ameer al-Mu'mineen*, to 'Amr ibn al-'Âṣ. Peace be upon you. Do you want me and those around me to die, whilst you and those around you are living a life of luxury? Help, help!" 'Amr ibn al-'Âṣ wrote back to him: "To the slave of Allah *Ameer al-Mu'mineen* from 'Amr ibn al-'Âṣ. Peace be upon you. I praise Allah, beside Whom there is no other god. Help is on its way, just wait. I am sending to you a caravan the first of which will reach you whilst the last of it is still with me. I also hope to find a way to send help by sea."[733] He sent

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[731] Op. cit., p. 116.

[732] *al-Ḥilyah*, 1/48.

[733] *Akhbâr 'Umar*, p. 115.

one thousand camels by land carrying flour, and he sent twenty ships by sea carrying flour and fat, and he sent five thousand garments to him.[734]

'Umar (may Allah be pleased with him) wrote to each of his governors in Syria: "Send us food to help those who are with us, for they will die unless Allah has mercy on them."[735] And he wrote to his agents in Iraq and Persia with a similar request, and they all sent aid to him.[736] Aṭ-Ṭabari said: "The first one to come to him was Abu 'Ubaydah with four thousand camels carrying food, and he put him in charge of distributing it to those who were around Madeenah. When he came back to him, he ordered that he be given four thousand *dirhams*. He said, 'I have no need of it, O' *Ameer al-Mu'mineen*. I was only seeking the reward of Allah and I don't want any worldly reward.' He said, 'Take it; there is nothing wrong with it if you were not seeking it.' He refused, and 'Umar said, 'Take it, for I did something similar for the Messenger of Allah (ﷺ) and he said to me what I have said to you, and I said to him what you said to me, and he gave it to me.' So Abu 'Ubaydah accepted it and went away with the people who had come with him."[737]

Mu'âwiyah ibn Abi Sufiyân sent three thousand camels carrying food, and one thousand camels carrying flour arrived from Iraq.[738] 'Umar started to distribute this aid to the people of Madeenah and to the Bedouin who had come to seek help there. And he sent some of it to the desert and ordered that it be distributed to all the Arab tribes. Az-Zubayr ibn al-'Awwâm said: " 'Umar said to me in the year of ar-Ramâdah, 'A caravan of camels carrying flour, fat and

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[734] Op. cit.

[735] *Al-Fârooq 'Umar*, p. 262.

[736] Ibid, p. 263.

[737] *Târeekh aṭ-Ṭabari*, 5/80.

[738] *Al-Fârooq 'Umar*, p. 262.

oil has been sent to help the people of the desert. Go out at the head of this caravan and go to Najd, and bring to me every family you can bring. Whoever you cannot bring, give to each family a camel with whatever goods are on it, and tell them to keep two garments for each person, one for winter and one for summer, and to slaughter the camel and store its fat and dry its meat, then let them take fat and flour and cook them, and eat from that until Allah brings them His provision.' "[739]

'Umar started to send provision to the people month by month, from the food and clothing that he received from the other regions. 'Umar's huge cooking pots were continually tended by skilled workers who cooked from after *Fajr* and then distributed the food among the people. 'Umar announced: "If Allah does not end the famine, then I will allocate to every household a similar number of people and we will feed them so long as we have the means. If we have to, then we will allocate to every family that has food the same number of people who have no food, until Allah sends rain."[740]

According to another report, 'Umar said: "If the famine continues, I will allocate all the hungry people to Muslim households, for the people will not die if their stomachs are half full."[741]

'Umar distributed food and provisions to many of the tribes where they were, via committees that he formed. When the camels of 'Amr ibn al-'Âṣ reached the border of Syria, 'Umar sent someone to supervise their distribution as they entered the Arabian Peninsula. They distributed the aid to various parts of Arabia, slaughtered the

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[739] Op. cit.

[740] Ibid, p. 263.

[741] *As-Siyâsah ash-Shar'iyah* by Dr. Isma'eel Badawi, p. 403; *Maḥḍ aṣ-Ṣawâb*, 1/364.

camels, handed out the flour and gave out clothing. 'Umar sent men with the food that 'Amr had sent from Egypt by sea, to take it to Tihâmah and feed the people there.[742]

5.2.4. Seeking the help of Allah and praying for rain (*Ṣalât al-Istisqa'*)

It was narrated that Sulaymân ibn Yasâr said: " 'Umar addressed the people at the time of ar-ramâdah and said, 'O' people, fear Allah concerning yourselves and what you do in secret, for I am being tested by means of you and you are being tested by means of me. I do not know whether this is a sign of divine wrath on me and not you, or on you and not me, but it includes both me and you. Come, let us pray to Allah to guide our hearts aright, to have mercy on us and to relieve us of this drought.' 'Umar was seen that day, raising his hands and calling upon Allah, and the people also called upon Him. He wept and the people wept greatly, then he came down."[743]

It was narrated that Aslam said: "I heard 'Umar say, 'O' people, I fear that this may be divine wrath that includes us all, so seek the forgiveness of your Lord, give up sin, repent to your Lord and do good.' "[744]

It was narrated that 'Abdullâh ibn Sâ'idah said: "I saw 'Umar when he had prayed *Maghrib* he called out, 'O' people, seek the forgiveness of your Lord and repent to Him, ask Him for His bounty and ask Him to send rain of mercy, not rain of punishment.' And he kept on saying that until Allah granted relief from that."[745]

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[742] *Akhbâr 'Umar*, p. 110.

[743] *Aṭ-Ṭabaqât*, 3/322; *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 323.

[744] *Aṭ-Ṭabaqât*, 3/322; *Akhbâr 'Umar*, p. 116.

[745] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 319.

It was narrated from ash-Sha'bi that 'Umar went out to pray for rain. He stood on the *minbar* and recited these verses:

﴾I said [to them], 'Ask forgiveness from your Lord, verily, He is Oft-Forgiving; He will send rain to you in abundance.﴿

(Qur'an 71: 10-11)

﴾And ask forgiveness of your Lord and turn unto Him in repentance...﴿ *(Qur'an 11: 90)*

When 'Umar decided to pray for rain (*al-istisqa'*), he went out with the people, and he wrote to his governors telling them to go out on such and such a day, and to beseech their Lord and ask Him to relieve them of this drought. 'Umar went out on the same day, wearing the cloak of the Messenger of Allah (ﷺ). When he reached the prayer-place, he addressed the people then he beseeched Allah, and the women also beseeched Him. Most of his *du'â'* was prayers for forgiveness, and when he had almost finished, he stretched out his hands and turned his cloak around, right to left and left to right. Then he stretched forth his hands and beseeched Allah, and he wept for a long time until his beard became wet.[746]

It is narrated in *Ṣaḥeeḥ al-Bukhâri* from Anas that 'Umar ibn al-Khaṭṭâb prayed for rain by virtue of al-'Abbâs ibn 'Abdul-Muṭṭalib. He said: «"O' Allah, we used to ask You for rain by virtue of our Prophet (ﷺ), and You would send us rain[747]. Now we ask You for rain by virtue of the uncle of our Prophet, so send us rain."»[748]

[746] *Aṭ-Ṭabaqât*, 3/320, 321; *Târeekh al-Madeenah al-Munawwarah* by Ibn Shibh, 2/742.

[747] i.e., that was because of his *du'â'* when he was alive. If it were permissible to seek divine help by virtue of the Prophet (Blessings and peace be upon him) after his death, 'Umar would have done that, and he would not have needed his uncle al-'Abbâs to make *du'â'* for him. [Author]

[748] Bukhari, hadith no. 101.

It was narrated that when 'Umar prayed for rain during the year of ar-ramâdah, at the end of his speech he said: "O' Allah, I admit my helplessness and what is with You is more bountiful for them." Then he took al-'Abbâs by the hand and said: "We draw close to You by virtue of the uncle of Your Prophet, for You say and what You say is true:

﴾And as for the wall, it belonged to two orphan boys in the town; and there was under it a treasure belonging to them; and their father was a righteous man...﴿ *(Qur'an 18: 82)*

You took care of them by virtue of their father's righteousness." Then al-'Abbâs said, with his eyes streaming with tears, "O' Allah, calamity only befalls because of sin, and can only be relieved by repentance. The people are turning to You by virtue of me, because of my relationship to Your Prophet (ﷺ). Our hands are stretched forth to You (admitting) our sins and we turn to You in repentance. Send us rain and do not make us of those who despair, O' Most Merciful of those who show mercy. O' Allah, You are the Guardian and You do not neglect those who are lost, and You do not forsake the weak one in a place of doom. The young are weeping and the old are scared, everyone is complaining to You. You know what is secret and what is yet more hidden. O' Allah, grant them Your aid before they fall into despair and are doomed, for no one despairs of Your mercy but those who are disbelievers."[749]

Then a patch of cloud appeared, and the people said, "Do you see that?" Then it grew bigger and was driven by the wind. Then the wind dropped and it began to rain. By Allah, they did not leave until they had to walk clinging onto the walls and pulling up their waist wrappers. The people started saying to al-'Abbâs: "Congratulations

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[749] *Al-Fârooq 'Umar ibn al-Khaṭṭâb*, by Muhammad Rasheed Riḍa, p. 217.

O' bringer of rain to the two sanctuaries."

Another report describes what al-'Abbâs said in his *du'â'* on this occasion: "O' Allah, calamity only befalls because of sin, and can only be relieved by repentance. The people are turning to You by virtue of me, because of my relationship to Your Prophet (ﷺ). Our hands are stretched forth to You (admitting) our sins and we turn to You in repentance, so send us rain." Then rain started to pour down until the land was soaked and the drought ended."[750]

5.2.5. Suspension of *ḥadd* punishments during the year of famine

'Umar suspended *ḥadd* punishments for theft during the year of ar-ramâdah. This was not an abolition of the punishment, as some have claimed. Rather it was because the conditions for carrying out the *ḥadd* punishment were not present, so the punishment was suspended for that reason. If a person eats something that belongs to someone else because he is starving and cannot find food and has no other option, he is not intending to steal as such. Hence 'Umar did not cut off the hands of the slaves who took a camel and slaughtered it, but he ordered their master Ḥâṭib to pay the price of the camel.[751] 'Umar said: "No hand should be cut off for (taking a bunch of dates from) a palm tree[752] or when there is a famine."[753] The *madh-habs* were influenced by 'Umar's fiqh and it says in *al-Mughni* that Aḥmad said: "No hand should be cut off during a famine" means that if a needy person steals something to eat, his hand should not be cut

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750 *Al-Khilâfah ar-Râshidah wa ad-Dawlah al-Umawiyah*, by Dr. Yaḥya al-Yaḥya, p. 302.

751 *Al-Khilâfah wa al-Khulafa' ar-Râshidoon*, by Sâlim al-Bahnasâwi, p. 165.

752 i.e., because it is still hanging on the tree and has not been stored away in a safe place.

753 *Al-Miṣbâḥ al-Muneer*, p. 292.

off, because he is forced by necessity. Al-Jawzjâni narrated that 'Umar said: "No hand should be cut off during a famine." He (al-Jawzjâni) said, "I asked Aḥmad about that. I asked, 'Do you say the same thing?' He (Aḥmad) said, 'Yes indeed, I would not rule that his hand be cut off if he was forced to do that because of need and the people were suffering hardship and famine.'"[754]

This reflects 'Umar's profound understanding of the aims of shari'ah. 'Umar looked at the heart of the matter and not just at what it appeared outwardly to be. He looked at the reason why a person resorted to stealing and he found out that in both cases the reason was hunger, which is regarded as one of the kinds of necessity which temporarily make forbidden things allowable. This is also indicated by what 'Umar said in the story of the slaves of Ḥâṭib: "You are using them and making them hungry, so that if one of them eats something that is not his (forbidden for him), it becomes permissible for him."[755]

5.2.6. Delaying the payment of zakah in the year of ar-Ramâdah

'Umar (ﷺ) suspended the payment of zakah during the year of ar-ramâdah, and when the famine ended and the land became productive again, he collected the zakah from the year of ar-ramâdah, i.e., he regarded it as a debt owed by those who were able to pay it, so as to help those who were in need, and so that some wealth might be left in the *bayt al-mâl* after everything in it had been spent.[756]

It was narrated from Yaḥya ibn 'Abdur-Raḥmân ibn Ḥâṭib that 'Umar ibn al-Khaṭṭâb (may Allah be pleased with him) delayed the

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754 *Al-Mughni* by Ibn Qudâmah, 8/278.

755 *A'lâm al-Muwaqqi'een*, 3/11; *al-Ijtihâd fee al-Fiqh al-Islâmi*, p. 136.

756 *Al-Khilâfah wa al-Khulafa' ar-Râshidoon*, p. 166.

zakah of the year of ar-Ramâdah and he did not send his collectors out. The following year, when Allah had lifted the famine, he ordered them to go out and collect two years' zakah. He told them to distribute one year's worth, and to bring the other year's worth to him.[757]

5.3. The plague (*aṭ-Ṭa'oon*)

In 18 A.H.[758] a terrifying event occurred, which the sources call the plague of 'Amwâs (Emmaus). It is named after a small town called 'Amwâs which is between Jerusalem and Ramlah, because that is the first place where the disease appeared. The best description of this disease — according to my limited knowledge — was given by Ibn Ḥajar when he said, after quoting various opinions about the plague: "This is what we have heard of the opinions of scholars of Arabic language, fiqh and medicine concerning the definition of the plague (*aṭ-ṭa'oon*). The conclusion is that what it means is a swelling which is caused by a disturbance in the blood, or by a rush of blood to a limb which corrupts it. Other kinds of widespread diseases which spread through corrupted air are also called plagues (*ṭa'oon*) in a metaphoric sense, because they share some similar symptoms or they cause a large number of deaths.[759] The reason for this distinction between a plague (*ṭa'oon*) and an epidemic (*waba'*) is in order to understand correctly the hadith in which the Prophet (ﷺ) said that the plague would never enter Madeenah, but epidemics may enter it and indeed did enter it in past centuries.[760] The plague appeared at that time as the result of the huge battles between the Muslims and the

[757] *Ash-Shaykhân min Riwâyat al-Balâdhuri*, p. 324.
[758] *Târeekh al-Quḍâ'i*, p. 294.
[759] *Al-Fatḥ*, 10/180.
[760] *Abu 'Ubaydah 'Âmir ibn al-Jarrâḥ*, by Muhammad Sharrâb, p. 220.

Byzantines, in which many people were killed and the air became foul because of the large number of corpses. This is something natural which Allah decrees for a reason.[761]

5.3.1. 'Umar's return from Sargh on the border between al-Ḥijâz and Syria

In 17 A.H., 'Umar wanted to visit Syria for the second time, so he set out accompanied by the *Muhâjiroon* and Anṣâr, and stopped to camp in Sargh, on the border between the Ḥijâz and Syria. There he was met by the leaders of the troops who told him that the land was sick and the plague was in Syria. 'Umar consulted with the others and decided to go back. We will discuss this in more detail when we look at the issue of *shoora.*[762]

After 'Umar left, the land was struck by the widespread plague which was known as the plague of 'Amwâs, which was at its worst in Syria, where many people died, including Abu 'Ubaydah ibn al-Jarrâḥ, who was the governor, and Mu'âdh ibn Jabal, Yazeed ibn Abi Sufiyân, al-Ḥârith ibn Hishâm (or it was said that he was martyred at al-Yarmook), Suhayl ibn 'Amr, 'Utbah ibn Suhayl and the leaders of the people. The epidemic did not end until after 'Amr ibn al-'Âṣ (may Allah be pleased with him) became their governor. He addressed the people and said: "O' people, this disease which has befallen you spreads like wildfire, so escape from it in the mountains." So he left and the people left, and they scattered until Allah relieved them of that. 'Umar heard of what 'Amr had done and he did not object to it.[763]

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761 *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 224.

762 Ibid, Pp. 222, 223.

763 *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 225; *Târeekh aṭ-Ṭabari,* 5/36.

5.3.2. The death of Abu 'Ubaydah (may Allah be pleased with him)

When the plague spread and news of that reached 'Umar (ﷺ), he wrote to Abu 'Ubaydah telling him to come out of that land, saying: "Peace be upon you. There is something I want to discuss with you and I urge you once you read this letter not to put it down until you come to me." Abu 'Ubaydah (ﷺ) realized that 'Umar wanted to bring him away from the plague out of compassion for him and to save his life, and he said: "May Allah forgive the *Ameer al-Mu'mineen*." Then he wrote to him, saying: "O' *Ameer al-Mu'mineen*, I understand what you said, but I am with some of the Muslim troops and I do not want to save myself and leave them until Allah passes His decree concerning me and them. Please excuse me from coming, O' *Ameer al-Mu'mineen*, and let me be with my troops." When 'Umar read the letter he wept, and the people said: "O' *Ameer al-Mu'mineen*, has Abu 'Ubaydah died?" He said, "It is as if he has." Then he wrote to him and said: "Peace be upon you. You have camped with the people in land that is low-lying; take them up into high land where there is fresh air." When his letter arrived, he called Abu Moosa and said: "O' Abu Moosa, this letter has come to me from the *Ameer al-Mu'mineen* with what you see. Go out and find a place for the people to camp so I can follow you with them." Abu Moosa went back to his camp and found that his wife had caught the sickness. He went back to (Abu 'Ubaydah) and told him the news. He ordered that a camel be prepared for him and when he put his foot in the stirrup he realized that he had become infected too. He said: "By Allah, the Exalted, the Almighty, I have caught it."[764]

It was narrated that 'Urwah said: "Abu 'Ubaydah and his family were free of the disease of 'Amwâs, then he said: 'O' Allah,

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[764] *Târeekh aṭ-Ṭabari*, 5/35.

send a share upon the family of Abu 'Ubaydah.' Then pustules broke out on his skin and he started looking at them. Someone said, 'It is nothing.' He said, 'I hope that Allah will bless them.'"[765]

Before he was stricken, he stood and addressed the people, saying: "O' people, this disease is a mercy from your Lord and a response to the *du'â'* of your Prophet (ﷺ), and it is the way some of the righteous died."

Abu 'Ubaydah asked Allah to give him his share of it[766], and when he caught it, he called the Muslims and they came to see him, and he said to them: "I will give you some advice which, if you accept it, you will be fine so long as you live and after you die: establish regular prayer, pay zakah, fast, give in charity, perform Ḥajj and 'Umrah, uphold ties with one another, love one another, be sincere to your rulers and do not deceive them, and do not be distracted by this world. If man lived to be a thousand years old, he would still end up as I am now (i.e., dying). Allah has decreed death for the sons of Adam and they will surely die. The cleverest among them is the one who is most obedient to his Lord and who strives hardest for his Hereafter." Then he said to Mu'âdh ibn Jabal, 'O' Mu'âdh, lead the people in prayer.' So Mu'âdh led them in prayer and Abu 'Ubaydah died (may Allah have mercy on him and forgive him and be pleased with him)."[767]

Mu'âdh stood up and addressed the people: "O' people, repent to Allah sincerely, for if a person meets Allah repenting from his sins, it will be incumbent upon Allah to forgive him his sins. Whoever owes a debt, let him pay it off, for a person is in pledge for his debt. Whoever among you is forsaking a Muslim, let him meet him and

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[765] *Târeekh adh-Dhahabi*, p. 174.

[766] *Târeekh aṭ-Ṭabari*, 5/36.

[767] *Al-Iktifa'*, 3/306.

reconcile with him, and shake hands with him, for no Muslim should forsake his fellow Muslim for more than three days. The sin involved in that is serious before Allah. You Muslims are stricken with the loss of a man. By Allah, I do not think that I have seen any of you, O' slaves of Allah, who is more humble, more honest, more removed from treachery, more sincere towards the public and more compassionate towards them than him. Pray for mercy for him and attend his funeral prayer. May Allah forgive him all his sins. By Allah, no one like him will ever be appointed over you again." The people gathered, and Abu 'Ubaydah was brought out, and Mu'âdh led the funeral prayer for him. When he was brought to his grave, Mu'âdh, 'Amr ibn al-'Âṣ and aḍ-Ḍaḥḥâk ibn Qays entered his grave. When they covered him with earth, Mu'âdh said: "May Allah have mercy on you, O' Abu 'Ubaydah. By Allah I will praise him for what I know of him and by Allah I shall not say anything false, fearing lest I incur the wrath of Allah. By Allah, as far as I know, you were one of those who remember Allah a great deal, one of those,

﴾... who walk on the earth in humility and sedateness, and when the foolish address them [with bad words] they reply back with mild words of gentleness.﴿ *(Qur'an 25: 63)*

One of,

﴾... those who spend the night in worship of their Lord, prostrate and standing.﴿ *(Qur'an 25: 64)*

And one of,

﴾... those who, when they spend, are neither extravagant nor niggardly, but hold a medium [way] between those [extremes].﴿ *(Qur'an 25: 67)*

By Allah, as far as I know, you were one of those who turn to Allah a great deal in humility, one of those who show mercy to the orphans

and the poor, and who hate the harsh and arrogant."[768]

No one among the people was more upset or more grieved at the loss of Abu 'Ubaydah that Mu'âdh.[769] Mu'âdh wrote to 'Umar (ﷺ) and told him of the death of Abu 'Ubaydah. It said in the letter: "Seek reward for the loss of a man who was sincere towards Allah and had a great fear of Allah in his heart. He was dear to us and to you, O' *Ameer al-Mu'mineen*: Abu 'Ubaydah ibn al-Jarrâḥ, may Allah forgive him all his sins. Truly, to Allah we belong and truly, to Him we shall return. We seek reward for his loss with Allah, and we put our trust in Allah. I have written to you when death is widespread and there is this epidemic among the people. No one will ever miss his appointment with death. Whoever has not yet died will surely die one day. May Allah make what is with Him better for him than this world. Whether we live or we die, may Allah reward you on behalf of the Muslims, on behalf of our elite and our common folk, and bestow His mercy, His forgiveness, His pleasure and His Paradise. Peace be upon you, and the mercy of Allah and His blessings."[770]

When the letter reached 'Umar, he read it and wept greatly, and announced the death of Abu 'Ubaydah to those who were sitting with him.[771] The people wept and grieved greatly, whilst accepting the will and decree of Allah.

5.3.3. The death of Mu'âdh ibn Jabal

After the death of Abu 'Ubaydah, Mu'âdh led the people in prayer for several days and the plague grew worse and many people

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[768] Op. cit., 3/307.

[769] Ibid.

[770] Ibid, 3/309.

[771] Ibid, 3/310.

died. He stood up and addressed the people, saying: "O' people, this disease is a mercy from your Lord and a response to the *du'â'* of your Prophet (ﷺ), and it is the way some of the righteous before you died. Mu'âdh is asking Allah to give the family of Mu'âdh their share of it." Then his son 'Abdur-Raḥmân ibn Mu'âdh[772] was stricken with it and when he saw that his son said:

﴾[This is] the truth from your Lord. So be you not one of those who doubt.﴿ *(Qur'an 2: 147)*

He said, "O' my son,

﴾*Insha' Allâh* [if Allah wills], you shall find me of *aṣ-Ṣâbiroon* [the patient].﴿ *(Qur'an 37: 102)*."

Shortly thereafter he died (may Allah have mercy on him) and Mu'âdh offered the funeral prayer for him and buried him. When Mu'âdh returned to his house, he was stricken, and the pain was very intense. His companions started visiting him and when they came to him, he turned to them and said to them: "Strive hard whilst you have a respite and have the opportunity, and you still have some life left, before you wish that you could do some righteous deeds but will not be able to. Spend of what you have before you die and leave it behind as an inheritance for those who come after you. Know that you have nothing of your wealth except that which you eat, drink, wear and spend; whatever else there is, is for your heirs." When the pain grew intense, he said: "O' Lord, cause me to die the way You wish.[773] I bear witness that You know that I love You."[774]

When death was at hand, he said: "Welcome to a visitor who has come when he is most needed (i.e., death). The one who regrets

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772 *Târeekh aṭ-Ṭabari*, 5/36.

773 *Al-Iktifa'*, 3/308.

774 Ibid.

does not succeed. O' Allah, You know that I never wanted to stay in this world to build waterways or plant trees, but I wanted to stay in order to spend long nights in prayer and long hours during the day fasting and feeling thirsty in the intense heat, and to be with the scholars in circles of *dhikr*."[775]

When he died he was 38 years old.[776] He appointed 'Amr ibn al-'Âṣ to take over his position after he died. 'Amr offered the funeral prayer for him, and entered his grave and placed him in the *laḥd*. Some other Muslim men also entered the grave with him. When 'Amr came out of the grave, he said: "May Allah have mercy on you, O' Mu'âdh. As far as we know, you were among the most sincere of the Muslims and one of the best of them. You taught the ignorant, were harsh with evildoers and compassionate towards the believers."[777]

After the death of Abu 'Ubaydah and Mu'âdh ibn Jabal, the leadership of the army went to 'Amr ibn al-'Âṣ. He stood up and addressed the people, saying: "O' people, this disease when it befalls spreads like wildfire, so escape from it in the mountains." So he left and the people left, and they scattered until Allah relieved them of that.[778]

'Amr ibn al-'Âṣ wrote to 'Umar ibn al-Khaṭṭâb and said to him: "Peace be upon you. I praise Allah besides Whom there is no other god. Mu'âdh ibn Jabal (may Allah have mercy on him) has died, and death is widespread among the Muslims. They have asked me for permission to move to the open countryside. I know that staying where we are will not bring death any closer and that running

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[775] *Ḥilyat al-Awliya'*, 1/228-244.
[776] Ibid.
[777] *Al-Iktifa'*, 3/309.
[778] *Al-Bidâyah wa an-Nihâyah*, 7/95.

away will not make death any further away or ward off the decree of Allah. Peace be upon you and the mercy of Allah and His blessings."[779]

When the letter of 'Amr ibn al-'Âṣ reached 'Umar with news of the death of Mu'âdh, who died straight after Abu 'Ubaydah, he was very distressed. 'Umar and the Muslims wept and grieved for him a great deal. 'Umar (ﷺ) said: "May Allah have mercy on Mu'âdh, for by his death this ummah has lost a great deal of knowledge. How many times did he offer sincere advice and we accepted it from him, and we saw how it brought goodness and blessings. How many times did we learn something from him and benefit from it, and he guided us to something good. May Allah reward him with the reward of the righteous."[780]

The third famous leader who was stricken with the plague was the best of the sons of Abu Sufiyân, who was known as Yazeed al-Khayr. His name was Yazeed ibn Abi Sufiyân. Another of the great leaders who were martyred during the plague of 'Amwâs was Shuraḥbeel ibn Ḥasanah.[781]

5.3.4. 'Umar's journey to Syria to set its affairs in order

'Umar was deeply affected with grief at the death of his great leaders and courageous troops because of the plague in Syria. He received letters from the governors in Syria asking him about the inheritances that had been left behind by the dead, and about numerous other matters. He gathered the people together and

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[779] *Majmoo'at al-Wathâ'iq as-Siyâsiyah*, p. 490.

[780] *Al-Iktifa'*, 3/310.

[781] *Al-Kâmil fee at-Târeekh*, 1/171, 172; *Târeekh adh-Dhahabi*, p. 181.

consulted them about the new matters that had arisen, and he resolved to go to the Muslims in their own lands and organize their affairs. After discussing the matter with his *majlis ash-shoora,* he decided to start with Syria. He said: "The inheritances of the people of Syria have been neglected, so I will start with Syria; I will divide the inheritances and I will sort out their affairs as I see fit. Then I will come back and make a tour of other countries and give them my orders." So he departed from Madeenah, where he left 'Ali ibn Abi Ṭâlib in-charge in his absence.[782] When he came to Syria, he shared out the provisions and formed battalions to go on campaigns in the winter and in the summer, and he organized the defence of the borders. He also appointed governors. He appointed 'Abdullâh ibn Qays over the coastal area and Mu'âwiyah over Damascus. He organized the affairs of the army, leaders and people, and divided the estates of the dead among the living.[783]

When the time for prayer came, the people said to him: "Why don't you tell Bilâl to give the *adhân*?" So he told him and he gave the *adhân*. There was no one who had met the Prophet (ﷺ) but he wept when Bilâl gave the *adhân* until his beard became wet, and 'Umar wept more than any of them. And those who had not met the Prophet (ﷺ) wept because of their weeping and their remembering the Messenger of Allah (ﷺ).[784]

Before he went back to Madeenah, he addressed the people and said: "I have been appointed over you and *insha' Allâh* I have done my best with regard to what Allah has appointed me to do concerning your affairs. We have divided your provision amongst

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[782] *Al-Fârooq 'Umar ibn al-Khaṭṭâb,* by Muhammad Riḍa, p. 230.

[783] *Al-Khulafa' ar-Râshidoon* by an-Najjâr, p. 325; *al-Fârooq* by Muhammad Rasheed Riḍa, p. 230.

[784] *Khulâṣat Târeekh Ibn Katheer; al-Khilâfah ar-Râshidah,* p. 236.

you, allocated houses and sorted out the armies. We have done all that we wanted to. We have recruited an army to defend you and we have sealed your borders. We have given you your share of the booty, and have given you stipends and provisions. Whoever thinks that there is anything else to be done, let him tell us and we will do it, *insha' Allâh*. And there is no strength except with Allah."[785] And this *khuṭbah* was given before the prayer mentioned above.

The plague of 'Amwâs was a serious threat to the Muslims. It killed more than twenty thousand of them, which was almost half of their number in Syria. The Muslims sensed the danger that this formed with regard to the Byzantines, for had the Byzantines realized the drop in numbers in the Muslim army in Syria, they would have attacked, because it would have been too difficult for the army to defend it. But perhaps the despair that the Byzantines themselves felt prevented them from attacking the Muslims, especially since the local people accepted Muslim rule and were content with their just rule and good conduct. Without their help the Byzantines could not attack Syria, especially since the people were tired of war and wanted a rest from their long fight against a people (the Arabs) who had victory on their side and fear of whom was firmly entrenched in the heart of every man.[786]

5.3.5. Ruling on entering and leaving a land that has been struck by the plague

The Messenger of Allah (ﷺ) said: «"If you hear that this disease is in a certain land, do not go there. If it strikes a land when you are there, do not leave it and try to flee from it."»[787]

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785 *Al-Bidâyah wa an-Nihâyah*, 7/79.

786 *Ashhar al-Mashâheer*, 2/361.

787 Muslim, *Kitâb as-Salâm*, hadith no. 2219.

The scholars differed concerning the meaning of this prohibition on leaving and entering such lands. Some of them took it at face value, and some interpreted it in different ways. Those who interpreted it in different ways said that it was permissible for one whose land had been struck by the plague to leave. We have pointed out above how keen 'Umar was to bring Abu 'Ubaydah out of the land that had been struck by the plague, but Abu 'Ubaydah apologized and stayed there. Then 'Umar asked Abu 'Ubaydah to take the Muslims from the low-lying land where there was a lot of water and swamps, and go to high land where there was fresh air, which Abu 'Ubaydah did. 'Umar's letter to Abu 'Ubaydah came after the two had met in Sargh and had heard the hadith of 'Abdur-Raḥmân ibn 'Awf about it not being permitted to leave or enter a land where there was an epidemic.

'Umar went back to Madeenah, and it seems that the epidemic was just beginning and had not yet begun to spread like wildfire. When 'Umar came back to Madeenah news reached him of the large number of deaths in this plague. 'Umar's view that it was permissible to leave a land that had been struck with the plague was also narrated from other *Ṣaḥâbah* who lived through the same sickness at the time of Abu 'Ubaydah in Syria, such as 'Amr ibn al-'Âṣ and Abu Moosa al-Ash'ari (may Allah be pleased with them both).

The dispute had to do with leaving a land that had been struck with the plague, not about entering such a land. Some of them said that it is permissible to leave so long as one is not trying to flee from the decree of Allah or believes that fleeing is what will save one from death. As for the one who leaves for a specific reason, this is permissible. If a person leaves to seek medical treatment, that is permissible. If he leaves the plagued land to go to a land that is better, that is recommended and is required of him.

As for Abu 'Ubaydah's staying where he was and offering excuses to 'Umar for not leaving, this was for health, social, political and leadership reasons that give an example of the highest forms of sincere leadership. Abu 'Ubaydah explained his reasons for staying: "I am with some of the Muslim troops and I do not want to save myself and leave them." The scholars explained the reason for the prohibition on fleeing from the plague by noting that if everyone left, those who were unable to flee — because they were sick with this disease or something else — would be in a bad situation, with no one to take care of them in life or in death. If it were permissible to leave, the strong would leave and this would cause great distress to the weak. They said that the reason for the stern warning against fleeing from the battlefield was the great distress that it would cause to those who did not flee, and it would make them feel scared because others had let them down.

Conclusion

Staying is a concession, and leaving is a concession. If a person is in a land where there is an epidemic and he has been infected, there is no point in his leaving, because by leaving he will transmit the disease to healthy people. Whoever has not been infected is allowed to leave in order to seek medical help, so long as not all the people leave, because some of them must stay behind to tend the sick.[788]

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[788] *Abu 'Ubaydah 'Âmir ibn al-Jarrâḥ*, by Sharrâb, Pp. 232-237.

CHAPTER FOUR
Financial and Judiciary Institutions and Their Development at the Time of 'Umar (ﷺ)

1. Financial Institutions

1.1. Sources of state income at the time of 'Umar

The Muslims at the time of the Rightly-Guided Caliphs regarded wealth in all forms and of all types as belonging to Allah, and they believed that man was entrusted with it and was to dispose of it in accordance with the conditions stipulated by Allah. The Qur'an confirms this with regard to everything that has to do with wealth and spending it. Allah (ﷻ) says:

﴾Believe in Allah and His Messenger [Muhammad], and spend of that whereof He has made you trustees...﴿ *(Qur'an 57: 7)*

﴾O' you who believe! Spend of that with which We have provided for you...﴿ *(Qur'an 2: 254)*

And Allah, the Exalted, Almighty says concerning righteousness (*al-birr*), which incorporates all kinds of goodness:

﴾... And gives his wealth, in spite of love for it, to the kinsfolk, to the orphans, and to *al-Masâkeen* [the poor], and to the wayfarer, and to

those who ask, and to set slaves free...❵ *(Qur'an 2: 177)*

Giving wealth in charity is an acknowledgement from the Muslim, first and foremost, that the wealth which he has in his hands is provision that Allah has granted to him:

❴And in the heaven is your provision, and that which you are promised.❵ *(Qur'an 51: 22)*

— because Allah, the Almighty has created it. From the basis of this acknowledgement comes the idea of being kind to the slaves of Allah.[1]

It was on the basis of this faith-based thinking that 'Umar looked at the wealth of the state which increased greatly during his reign, as many lands were conquered and many people submitted to the rule of the Islamic state. He organized the relations between the state and these peoples. Some of them had come under the rule of the state willingly, after making a peaceful deal, and others had come under its rule by force, when the land that was conquered by force ended up under the control of the state. In some cases he made a deal with the owners of the land, where the owners had left it and retreated, or when it had belonged to the former rulers and their men. Some of the peoples of these lands were people of the Book (such as Jews and Christians), and 'Umar worked out a way to deal with them in accordance with the wise laws of Allah.

'Umar started to organize the financial affairs of his state, whether it had to do with income, expenditure, or organizing the people's dues under different departments. The state income began to increase during 'Umar's reign so he started to develop it and appointed workers to supervise it. The most important sources of income at this time were zakah, war booty, *al-fay'*, *jizyah*, *kharâj* and

[1] *Dirâsât fee al-Ḥaḍârah al-Islâmiyah* by Aḥmad Ibraheem ash-Shareef, p. 253.

the tithes (*'ushoor*) paid by merchants. 'Umar strove to develop these sources and he issued rulings on the basis of the aims of shari'ah which were laid down for the people's benefit. New circumstances arose that had been unknown at the time of the Messenger of Allah (ﷺ)[2], but 'Umar implemented the Qur'an and Sunnah in a brilliant fashion; he did not decide on any matter without consulting the Muslims, and he did not force his own opinion in any matter. If a matter arose, he would order the Muslims to gather so that he could consult them, and he would follow their views.[3]

The most important sources of income at the time of 'Umar were:

1.1.1. Zakah

This is the social component of the pillars of Islam, and the first divine decree of Islam. It is enjoined upon the wealth of the rich Muslims, to be taken from them and given to the poor, based on set thresholds on crops, fruits, gold and silver, trade goods and livestock, in order to establish a kind of social security and to create love between the rich and poor. Zakah is a duty that has to do with wealth, and as the saying goes, money makes the world go around (i.e., it is an essential part of life). Some people are blessed because of wealth and some are doomed because of it. This is the way of Allah with regard to His creation, and you will not find any change in the way of Allah (cf. Qur'an 33: 62).

As wealth has a great impact on people's lives, Islam paid a great deal of attention to the issue of wealth, and established zakah as a precise, wise and compassionate system which brings hearts together.[4] Hence 'Umar followed in the footsteps of the Messenger of

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[2] Op. cit., p. 254

[3] *Mabâdi' an-Nidhâm al-Iqtiṣâdi al-Islâmi* by Dr. Su'âd Ibrâheem Ṣâliḥ, p. 213.

[4] *Siyâsat al-Mâl fee al-Islâm fee 'Ahd 'Umar ibn al-Khaṭṭâb*, by 'Abdullâh=

Allah (ﷺ) and Abu Bakr, and organized and developed the institution of zakah. He sent collectors to gather the zakah from all regions of the Islamic state, after many of the inhabitants of the conquered lands became Muslim. Justice in collecting wealth was the hallmark of the Rightly-Guided Caliphate, without that causing any detriment to the *bayt al-mâl* or treasury. 'Umar criticized one of his zakah-collectors who took a sheep with huge udders, and said: "Its owners did not give it willingly. Do not cause distress to the people."[5]

Some people from Syria came to 'Umar and said: "We have wealth, horses and slaves, and we want to give zakah from them to purify our wealth." 'Umar said: "What my two companions did before me, I will also do." He consulted the Companions of the Messenger of Allah (ﷺ), among whom was 'Ali. 'Ali said: "It is good, so long as it is not something to be taken regularly from them after you."[6]

Dr. Akram Ḍiya' al-'Umari stated that the *Ṣaḥâbah* suggested to 'Umar that he impose zakah on slaves and horses after ownership of slaves and horses became widespread among the Muslims. 'Umar regarded slaves and horses as trade goods and he imposed one *dinâr* (ten *dirhams*) on slaves, young and old. He imposed ten *dirhams* on Arabian horses and five *dirhams* on non-Arabian horses. It may be understood that he did not impose zakah on slaves who were used as servants or horses that were used for jihad, because these were not trade goods, rather he compensated those who had paid zakah on them by giving them approximately 209 kg of wheat every two months, which was worth more than the zakah. This was because of

=Jam'ân as-Sa'di, p. 8.

[5] *Al-Muwaṭṭa'*, 1/256; *'Aṣr al-Khilâfah ar-Râshidah*, p. 194.

[6] *Al-Mawsoo'ah al-Ḥadeethah Musnad Aḥmad*, hadith no. 82. Its isnad is *ṣaḥeeḥ*.

the hadith of the Prophet (ﷺ): «"The Muslim does not have to pay zakah on his horse or his slave."»[7]

'Umar took one fifth from buried treasure when it was found. He was also keen to circulate wealth and ensure that it was used or invested, lest zakah consume it as time went by.[8]

He had wealth for an orphan which he gave to al-Ḥakam ibn al-'Âṣ ath-Thaqafi to engage in trade[9], because 'Umar did not have time to engage in trade as he was so busy with the affairs of state. When the profit rose from ten thousand *dirhams* to one hundred thousand, 'Umar got suspicious. When he found out that the merchant has used the orphan's connection to 'Umar he rejected the entire profit and restored the capital, because he regarded the profit as ill-gotten gains.[10] He was acting on the same principle that he imposed on his governors, which was the rejection of any abuse of positions of responsibility when working for the state. Hence if the governors made a great deal of wealth in business, he would take a share of that wealth (and put it in the *bayt al-mâl*).[11] We will discuss this further when we discuss the governors.

With regard to the zakah on crops, 'Umar took one-tenth of those that were irrigated by the rain and rivers, and half of one-tenth of those that were irrigated artificially.[12] This is in accordance with

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[7] *Ṣaheeḥ at-Tirmidhi*, 1/196. Tirmidhi said: This is to be followed according to the scholars.

[8] *'Aṣr al-Khilâfah ar-Râshidah*, p. 194, 195.

[9] *'Aṣr al-Khilâfah ar-Râshidah*, p. 195; *al-Amwâl* by Ibn Zanjawayh, 3/990. The report is *ṣaḥeeḥ*.

[10] Al-Amwâl by Abu 'Ubayd, p. 455; the report is *ṣaḥeeḥ*. Quoting from *'Aṣr al-Khilâfah ar-Râshidah*, p. 195.

[11] *'Aṣr al-Khilâfah ar-Râshidah*, p. 195.

[12] *Al-Musannaf*, 4/134, 135; the report is *ṣaḥeeḥ*. Quoting from *'Aṣr al-Khilâfah ar-Râshidah*, p. 195.

the Sunnah. He would urge kindness to the owners of gardens and orchards when estimating the yield of dates.[13] He took zakah of one-tenth on honey if the state protected the bees' area for the investor.[14]

Supplies of wheat increased during his caliphate, so he allowed the people to give *zakât al-fiṭr* in the form of wheat, giving half of the weight of barley, dates or raisins that they used to give before.[15] This was done to make things easier for the people, and to accept better quality wealth, even if it was of a different type.[16]

As for the amount of wealth that was collected in zakah each year, that is not known, and the reports that mention some figures give only partial and imprecise details; it is not possible to get the full picture. It was said that 'Umar ibn al-Khaṭṭâb protected the land of ar-Rabdhah for the zakah herds (camels and horses given as zakah), and he used to use them in jihad for the sake of Allah. The number of mounts used each year in jihad for the sake of Allah was forty thousand.[17]

With regard to the people who were employed to supervise this institution, the sources mention the names of a number of them during the caliphate of 'Umar. They were: Anas ibn Mâlik, Sa'eed ibn Abi adh-Dhubâb, Ḥârith ibn Maḍrab al-'Abdi, 'Abdullâh ibn al-Sâ'idi, Sahl ibn Abi Ḥathamah, Maslamah ibn Makhlad al-Anṣâri, Mu'âdh ibn Jabal in-charge of Bani Kilâb, Sa'd al-A'raj in-charge of Yemen, and Sufiyân ibn 'Abdullâh ath-Thaqafi, who was the governor of *aṭ-Ṭâ'if* and used to collect its zakah.[18]

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[13] *'Aṣr al-Khilâfah ar-Râshidah*, p. 195, the report is *ṣaḥeeḥ*.

[14] Ibid, p. 195, the report is *ṣaḥeeḥ*.

[15] Ibid, p. 196, the report is *ṣaḥeeḥ*.

[16] *Fatḥ al-Bâri*, 3/313; quoting from *'Aṣr Khilâfah ar-Râshidah*, p. 196.

[17] *Al-Ḥayât al-Iqtiṣâdiyah fee al-'Uṣoor al-Islâmiyah al-Oola*, by Dr. Muhammad Baṭânah, p. 104.

[18] *'Aṣr al-Khilâfah ar-Râshidah*, Pp. 196, 197.

1.1.2. *Jizyah*

Jizyah is a tax which is imposed on the individuals from among the People of the Book who come under the protection of the Muslims.[19] It has also been suggested that it is a poll tax levied on the *kuffâr* as a form of humiliation or to make them feel subdued[20], because Allah (ﷻ) says:

﴾Fight against those who believe not in Allah, nor in the Last Day, nor forbid that which has been forbidden by Allah and His Messenger [Muhammad], and those who acknowledge not the religion of truth [i.e. Islam] among the people of the Scripture [Jews and Christians], until they pay the *Jizyah* with willing submission, and feel themselves subdued.﴿ *(Qur'an 9: 29)*

The *jizyah* was levied on the people of the Book, namely the Jews and Christians; there is scholarly consensus on the fact that they are people of the Book and there is no dispute on this point. The *jizyah* was also levied on a people who may have had a Book originally, namely the Magians (Zoroastrians). 'Umar was confused about them at first, and was uncertain whether to take the *jizyah* from them or not, until 'Abdur-Raḥmân ibn 'Awf resolved the matter by narrating that the Messenger of Allah (ﷺ) had taken the *jizyah* from the Magians of Ḥajar.[21]

Ibn Abi Shaybah and others narrated that 'Umar was between the Prophet's grave and the *minbar*, and he said: "I do not know what to do with the Magians, for they are not people of the Book." 'Abdur-Raḥmân ibn 'Awf said that he heard the Messenger of Allah (ﷺ) say:

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19 *As-Siyâsah ash-Shar'iyyah* by Ibn Taymiyah, Pp. 113, 114; *al-Mu'âhadât fee ash-Sharee'ah* by Dr. ad-Deek, p. 313.

20 *Ahl adh-Dhimmah fee al-Ḥaḍârah al-Islâmiyah*, by Ḥasan al-Mimmi, p. 39.

21 *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 235.

«"Treat them as you treat the people of the Book."»[22] According to another hadith, 'Umar did not want to take the *jizyah* from the Magians until 'Abdur-Raḥmân ibn 'Awf testified that the Messenger of Allah (ﷺ) had taken it from the Magians of Ḥajar.[23] The scholars explained that the reason why it was taken from the Magians was that they were originally people of a Book, and they only started to worship fire after that. So 'Umar took the *jizyah* from the people of as-Sawâd (the regions between the two rivers in Iraq) and he took it from the Magians in Persia. He wrote to Juz' ibn Mu'âwiyah saying: "Look at the Magians around you and take the *jizyah* from them, for 'Abdur-Raḥmân ibn 'Awf told me that the Messenger of Allah (ﷺ) took it from the Magians of Ḥajar."[24]

Jizyah is obligatory upon free men of sound mind, but it is not obligatory upon women, children, the insane or slaves, because they are followers and dependents. Also, the *jizyah* is not to be taken from the poor to whom charity is given, or from the paralyzed. If a paralyzed or chronically-sick person can afford it, it may be taken from him. The same also applies to the blind and monks in the monasteries, if they can afford it, it may be taken from them, but if they are poor and receive charity from others who are better off, then the *jizyah* is not taken from them.[25]

The *jizyah* is no longer payable if a person dies, because it is a levy that is paid per person, and if the person is no longer there because he has died, it is no longer due. If a person who is obliged to pay *jizyah* becomes a Muslim, then he no longer has to pay the *jizyah* because of his becoming Muslim. Two men from Ullyas became

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[22] Op. cit., p. 235, quoting from *Musannaf Ibn Abi Shaybah*, 1/141.

[23] Bukhari, *Kitâb al-Jizyah wa al-Muwâda'ah*, hadith no. 3156 (p. 338 note 2).

[24] Bukhari, hadith no. 3156.

[25] *Ahl adh-Dhimmah fee al-Ḥaḍârah al-Islâmiyah*, p. 42.

Muslim, and the *jizyah* was waived for them.[26] Ar-Raqeel, the chieftain of an-Nahrayn, became Muslim and 'Umar allocated a stipend of two thousand for him, and waived the *jizyah*.[27]

It is worth noting that the *jizyah* was waived for the whole year in which a *dhimmi* became a Muslim, whether he became Muslim at the beginning of the year, in the middle or at the end. 'Umar said: "If a collector takes the *jizyah* in his hand, then the person who paid it becomes Muslim, it should be returned to him."[28]

It is also waived if a person becomes poor. If a *dhimmi* become poor after having been rich, and he becomes unable to pay the *jizyah*, it is waived in his case. 'Umar waived the *jizyah* for an old blind man whom he saw begging from people[29], and he allocated to him some money from the *bayt al-mâl* to help him survive.

The *jizyah* is also waived if the state becomes unable to protect the *dhimmis*, because the *jizyah* is a tax that is levied on people living in the Islamic state which is paid in return for their benefiting from the public services and protection of the state, and because they do not bear the responsibility of defending the state.[30]

Among the evidence that the *jizyah* is paid in return for protection is what Abu 'Ubaydah ibn al-Jarrâḥ did when the Byzantines massed on the northern border of the Muslim lands. Abu 'Ubaydah wrote to the governors whom he had appointed in each city with whose people he had a treaty, telling them to give back to the people the *jizyah* and *kharâj* that they had collected from them. He

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[26] *Mawsoo'ah Fiqh 'Umar*, p. 238.

[27] *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 238, quoting from *al-Muḥalla*, 7/345.

[28] Ibid, p. 239, quoting from *al-Mughni*, 8/511.

[29] Ibid, p. 239.

[30] *Al-Mu'âhadât fee ash-Sharee'ah al-Islâmiyah*, by Dr. ad-Deek, p. 314.

wrote to them telling them to say to them: "We are returning your wealth to you because we have heard that the armies are massing. You stipulated to us that we should protect you, but we are not able to do that, so we are returning to you what we took from you, for we are bound by our conditions. Whatever deal we wrote between us will remain in force when Allah grants us victory." When they told them that and returned to them the money that they had collected from them, they said: "May Allah bring you back to us and grant you victory over them (i.e., the Byzantines), for if it had been them, they would not have returned anything to us. They would have taken everything we had left and would not have left anything for us."[31]

The *jizyah* was also waived if the *dhimmis* themselves took on the burden of defence at the request of the state, as happened in the treaty which Surâqah ibn 'Amr drew up with the people of Ṭabaristân, after 'Umar agreed to that.[32]

With regard to the value of the *jizyah*, it is not fixed, and it varies from one region to another, according to the people's ability to pay and the circumstances in each region. The rate for the people of as-Sawâd (in Iraq) varied between forty-eight and twenty-four *dirhams*, depending on what each person could afford. That was taken from them each year, and if they brought something other than money that was accepted from them; the equivalent value in livestock, goods, etc. would be accepted from them.[33]

For the people of Syria the rate was four *dinârs*, plus supplying the Muslims with two *mudds* of wheat and three measures of olive oil for each individual. For those who paid in silver, the rate was forty

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[31] *Futooḥ al-Buldân*, p. 143; *al-Mawârid al-Mâliyah*, by Dr. Yoosuf 'Abdul-Maqṣood, p. 228.

[32] *Târeekh ad-Dawlah al-Islâmiyah* by Dr. Jameel al-Maṣri, p. 327.

[33] *Dawr al-Ḥijâz fee al-Ḥayât as-Siyâsiyah*, p. 230.

dirhams and fifteen *ṣâ's* for each individual.

In Egypt the rate was two *dinârs* for each person who had reached the age of puberty, unless he was poor.[34]

The people of Yemen had submitted to Islam during the time of the Prophet (ﷺ), and the *jizyah* had been imposed on every man at the rate of one *dinâr* or its equivalent in garments. Some weak reports indicate that this *jizyah* remained in effect during 'Umar's caliphate and was not changed despite their weakness. This is in accordance with 'Umar's policy of paying attention to the people's situation and not changing what the Prophet (Blessings and peace be upon him) had decided.[35]

The *jizyah* varied according to what the people could afford and according to the region's wealth. It was to be decided within the framework of people's ability to pay, without burdening them or causing any harm to them.[36]

'Umar commanded his collectors to be kind to the people when collecting it. When a great deal of wealth was brought to 'Umar he said: "I think that you have destroyed the people." They said, "No, by Allah. We have not taken anything that was not given with full permission and willingly." He said: "With no force or coercion?" They said, "That is so." He said: "Praise be to Allah Who has not caused any force or coercion to happen at my hands or by my authority."[37]

Among the most well known people who were employed in this institution were 'Uthmân ibn Ḥaneef and Sa'eed ibn Ḥudhaym,

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[34] *Dawr al-Ḥijâz fee al-Ḥayât as-Siyâsiyah*, p. 230.

[35] *'Aṣr al-Khilâfah ar-Râshidah*, p. 173.

[36] Ibid, p. 231; *'Aṣr al-Khilâfah ar-Râshidah*, p. 167.

[37] *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 243.

and the governors of regions such as 'Amr ibn al-'Âṣ, Mu'âwiyah ibn Abi Sufiyân and others.

The *jizyah* was regulated by a number of rulings and laws which the *fuqaha'* derived from the texts of the Qur'an and Sunnah and the actions of the Rightly-Guided Caliphs. These rulings indicate that the institution of *jizyah* was one of the sources of income for the Islamic state. It also played a political role. The fact that *ahl adh-dhimmah* were making a payment to the state was indicative of their sincerity towards it and their submission to its rulings and laws, and their adherence to the terms of their treaty.[38] Professor Ḥasan al-Mimmi is of the view that the institution of *jizyah* was more political than financial in nature.[39] In fact this institution combined both elements, and was one of the sources of income for the Islamic state.

'Umar took double the zakah from the Christians of Taghlib

Some of the Arabs of the Peninsula were Christians, and refused to pay the *jizyah* because they thought it was insulting and a source of shame. Al-Waleed sent the Christian chiefs and scholars to 'Umar and he said to them: "Pay the *jizyah.*" They said to 'Umar, "Grant us safety and security, for by Allah, if you impose the *jizyah* we will go to the land of the Byzantines. By Allah, you are going to shame us among the Arabs." He said to them, "You have shamed yourselves and gone against your nation like other Arab tribes who went against their nation and shamed themselves. By Allah, you will pay it with humiliation. If you flee to the Byzantines, I will write to my governor and tell him to take you captive." They said, "Take something from us, but do not call it *jizyah.*" He said, "We will call it *jizyah*; you can call it whatever you want." 'Ali ibn Abi Ṭâlib (رضي الله عنه) said to him, "O' *Ameer al-Mu'mineen*, didn't Sa'd ibn Mâlik double

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[38] *Ahl adh-Dhimmah fee al-Ḥaḍârah al-Islâmiyah*, p. 43.

[39] Ibid.

the zakah for them?" He said, "Yes." So he listened to him and accepted that (double zakah) from them instead of the *jizyah*.[40]

From this report we can learn a lesson about how to deal with arrogant enemies who address the Muslims with pride and arrogance, and threaten to go and join the *kâfir* state. We see how 'Umar dealt with them harshly and disdainfully; he threatened that if they went to join the *kuffâr*, he would strive to bring them back and treat them like enemy combatants, taking their women and children captive, which would be worse for them than paying the *jizyah*. This forceful response dispelled the pride and arrogance from their minds, and they became humble and asked the caliph to agree to take whatever he wanted without calling it *jizyah*. At this point 'Ali intervened, and his opinion carried weight with 'Umar because of his understanding of Islam. He suggested that he double the zakah for them as Sa'd ibn Abi Waqqâṣ had done with others like them, and 'Umar accepted that in order to soften their hearts and to stop them attempting to go and join the *kâfirs*. This opinion was accepted as it was suggested at the right time, which was after 'Umar had removed the pride and arrogance that was in their hearts. But if he had accepted that at the beginning, they would have remained arrogant and there would have been no guarantee that they would not break the treaty later on and mistreat the Muslims.[41]

In the story of Banu Taghlib we also learn that they were called to Islam and they refused, then they were called to pay the *jizyah* and they did not agree to that and they ran away, aiming to join the Byzantines. An-Nu'mân ibn Zar'ah said to 'Umar: "O' *Ameer al-Mu'mineen*, Banu Taghlib are an Arab people; they are too proud to

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[40] *Târeekh aṭ-Ṭabari*, 5/30; Dr. al-'Umari classed this report as *ḍa'eef*. See *'Aṣr al-Khilâfah ar-Râshidah*, p. 167.

[41] *At-Târeekh al-Islâmi*, 11/141-142.

pay the *jizyah*, and they do not have any wealth, they are just farmers and herders, but they are tough fighters. Do not help your enemy against you by means of them." So 'Umar ibn al-Khaṭṭâb (ﷺ) worked out an agreement whereby they would pay double zakah[42], and he said, "This is a *jizyah*; you may call it whatever you like."[43] Banu Taghlib said, "So long as it is not a *jizyah* like the *jizyah* of the non-Arabs, then we will accept it and keep our religion."[44]

As for the reason why 'Umar (ﷺ) agreed to accept the zakah from Banu Taghlib, and whether it was regarded as zakah or *jizyah*, it goes back to whether the naming of a thing can be compromised. The caliph agreed to it so long as it served the public interest. What motivated him to do that was the fear that Banu Taghlib might join the Byzantines and the hope that they might become Muslim and help the Muslims against their enemies. These were Arab people who had a sense of pride, which justified maintaining their dignity. The wealth that would come from them was better for the Muslims and the *bayt al-mâl* than their running away and joining the ranks of the Byzantines.[45]

As for whether it was zakah or *jizyah*: it was *jizyah*, because it was to be disposed of like *kharâj*, whereas zakah is not imposed on non-Muslims. Moreover, *jizyah* is given in return for protection, and Banu Taghlib were under the protection of the Muslims. But at the same time, we can say that it was not *jizyah* in a practical sense, because what was imposed on the Christians of Banu Taghlib was imposed on the same things on which zakah is imposed. For everything on which the Muslims are obliged to pay zakah, crops,

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[42] *Al-Amwâl*, 1/37, quoting from *Siyâsat al-Mâl fee al-Islâm* by 'Abdullâh Jam'ân, p. 72.

[43] *Fatḥ al-Qadeer*, 1/514; *Siyâsat al-Mâl fee al-Islâm*, p. 72.

[44] *Futooḥ al-Buldân*, p. 186; *Siyâsat al-Mâl fee al-Islâm*, p. 72.

[45] *Siyâsat al-Mâl fee al-Islâm*, p. 72.

fruits, livestock and gold and silver, they were required to pay double, and it was imposed on women as well as men, and it was not imposed on an individual basis. This is different from *jizyah* in the usual sense.[46]

What matters is that in either case, whether it is regarded as zakah or *jizyah*, it was a tax which demonstrated their submission to Islamic rule.[47]

There were also other taxes and obligations that the Muslims imposed on the conquered lands besides the *jizyah*, which were developed further during the caliphate of 'Umar. These included offering hospitality when envoys and ambassadors or other Muslims came and visited the land. The limit set for hospitality during 'Umar's caliphate was three days, offering what they ordinarily ate, and not going to the trouble of slaughtering a sheep or a chicken or offering anything they could not afford.[48]

When we looked at infrastructure development at the time of 'Umar, we mentioned some of the agreements which included maintaining the roads, building bridges and constructing waterways. The system of *jizyah* was developed further during 'Umar's reign. He took a census, in which a distinction was made between the rich, the poor and those who were of average means. He introduced many conditions and obligations in the texts of the treaties which had not been known before. That was because of the spread of development and the spread of Islamic rule to Egypt, Syria and Iraq, and because the Muslims were mixing with the people of those lands and had ongoing contact with their culture, which enabled them to run the affairs of state and develop the infrastructure in a gradual manner.

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[46] Op. cit., p. 73; *an-Nidhâm al-Islâmi al-Muqârin*, p. 39.

[47] *Siyâsat al-Mâl fee al-Islâm*, p. 73.

[48] *Al-Aḥkâm as-Sulṭâniyah wa al-Wilâyât ad-Deeniyah*, p. 164.

They introduced new conditions to the peace deals that had not existed before, such as maintaining roads and building bridges, which are things that help developed nations. Hence affairs were put in order and the principles of running financial and other affairs were set up.[49]

Conditions of the jizyah contract and when it was to be paid

From the era of the Rightly-Guided Caliphs, the *fuqaha'* derived a number of such conditions:

- They should not refer to the Book of Allah with any criticism or distortion
- They should not mention the Messenger of Allah (ﷺ) in terms of rejection or disbelief
- They should not mention the religion of Islam with any criticism or insult
- They should not have relations with any Muslim woman by way of *zinâ* or in the name of marriage
- They should not tempt a Muslim away from his religion or harm him financially or cause him annoyance because of his religion
- They should not help those who are at war against the Muslims[50]

With regard to the time when it should be paid, the caliph 'Umar stipulated that the *jizyah* should be paid at the end of the year, meaning the end of the agricultural year. This change in the time for paying the *jizyah*, which was introduced during 'Umar's caliphate, came about because of increased stability, which in turn requires organization and selection of a time that was suited both to the state

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[49] *Siyâsat al-Mâl fee al-Islâm fee 'Ahd 'Umar ibn al-Khattâb*, p. 174.
[50] *Siyâsat al-Mâl fee al-Islâm fee 'Ahd 'Umar*, p. 76.

and to those who were obliged to pay the *jizyah*. Collecting it at the time of the harvest, which the historians describe as the end of the year, was a way of warding off hardship as well as making it easier for those who were paying it.[51]

1.1.3. *Kharâj*

Kharâj has two meanings. In the general sense it refers to any income that comes to the *bayt al-mâl* of the Muslims from sources other than zakah. So it comes under the general heading of *fay'* and includes the income from *jizyah*, *'ushoor* (tithes) etc. And it has a specific meaning, which is the income from the lands that the Muslims had conquered by force, which the ruler had then left to earn an income for the Muslims in perpetuity, as 'Umar did with the land of as-Sawâd in Iraq and Syria.[52] Ibn Rajab al-Ḥanbali said: "*Kharâj* is not based on the value of the land or the income from the rent, rather it is not based on the land itself."[53]

When Islam grew strong through conquests, especially after the defeat of the two "superpowers" of Persia and Byzantium, the sources of income of the Islamic state increased, as did its expenditure. In order to maintain the integrity of this far-flung state and to protect its authority and guarantee its people's interests, both private and public, it was essential to have a wise, sensible financial policy. 'Umar thought that the way to achieve that was to have a fixed and regular income that could be spent on all these aims, and that income was the *kharâj*. The conquerors wanted to divide the booty of wealth and land among themselves according to what is mentioned in the Qur'an about booty:

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[51] Op. cit., p. 67.

[52] *Al-Kharâj* by Abu Yoosuf, Pp. 24, 25; *Iqtiṣâdiyât al-Ḥarb*, p. 215.

[53] *Al-Istikhrâj li Aḥkâm al-Kharâj*, p. 40; *Iqtiṣâdiyât al-Ḥarb*, p. 215.

﴾And know that whatever of war-booty that you may gain, verily, one-fifth [1/5th] of it is assigned to Allah, and to the Messenger, and to the near relatives [of the Messenger (Muhammad)], [and also] the orphans, *al-Masâkeen* [the poor] and the wayfarer, if you have believed in Allah and in that which We sent down to Our slave [Muhammad] on the Day of Criterion [between right and wrong], the Day when the two forces met [the battle of Badr]; and Allah is Able to do all things.﴿ *(Qur'an 8: 41)*

At first 'Umar wanted to divide the land among the conquerors, but 'Ali ibn Abi Ṭâlib (ﷺ) thought that it should not be divided. Mu'âdh ibn Jabal agreed with him and warned 'Umar against doing that. Abu 'Ubayd narrated that 'Umar came to al-Jâbiyah and wanted to divide the land among the Muslims, but Mu'âdh said: "By Allah, the consequences of that will not be good, for if you divide it, all these lands will come under the people's control but eventually it will end up in the hands of one man or one woman. Then after them there will come people who will engage in a great deal of jihad, but they will not find anything (because all the land will already have been conquered — their jihad will be in self-defence). So think of something that will benefit all the Muslims, now and later on."[54]

Thus Mu'âdh drew 'Umar's attention to an important matter, and 'Umar started to study the verses of the Qur'an and ponder the meaning of each word he read, until he came to the verses in *Soorah al-Ḥashr* which speak about the division of *fay'*. Then it became clear to him that they were referring to the *fay'* of the Muslims at that time and for those who came after them. So he decided to follow Mu'âdh's view. News of that spread among the people and a dispute arose between him and some of the *Ṣaḥâbah* (may Allah be pleased with them); 'Umar and his supporters did not think that the

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[54] *Al-Amwâl* by Abu 'Ubayd, p. 75; *Siyâsah al-Mâl*, p. 103.

conquered lands should be divided, but some of the *Ṣaḥâbah* — including Bilâl ibn Rabâḥ and az-Zubayr ibn 'Awwâm, thought that it should be divided, as war booty was divided and as the Prophet (ﷺ) had divided Khaybar. But 'Umar refused to divide it and he recited the verse of *al-khums* in *Soorah al-Ḥashr* to them:

﴾And what Allah gave as booty [*Fay'*] to His Messenger [Muhammad] from them — for this you made no expedition with either cavalry or camelry. But Allah gives power to His Messengers over whomsoever He wills. And Allah is Able to do all things.﴿ *(Qur'an 59: 6)*

This refers to Banu an-Naḍeer. Then Allah (ﷻ) said:

﴾What Allah gave as booty [*Fay'*] to His Messenger [Muhammad] from the people of the townships — it is for Allah, His Messenger [Muhammad], the kindred [of Messenger Muhammad], the orphans, *al-Masâkeen* [the poor], and the wayfarer, in order that it may not become a fortune used by the rich among you. And whatsoever the Messenger [Muhammad] gives you, take it; and whatsoever he forbids you, abstain [from it]. And fear Allah; verily, Allah is Severe in punishment.﴿ *(Qur'an 59: 7)*

This is general and applies to all the townships. Then Allah said:

﴾[And there is also a share in this booty] for the poor emigrants, who were expelled from their homes and their property, seeking Bounties from Allah and to please Him, and helping Allah [i.e. helping His religion — Islamic Monotheism] and His Messenger [Muhammad]. Such are indeed the truthful [to what they say].﴿ *(Qur'an 59: 8)*

The passage did not stop there, rather Allah mentions others who may also benefit from the booty:

﴾And [it is also for] those who, before them, had homes [in

Madeenah] and had adopted the Faith, love those who emigrate to them, and have no jealousy in their breasts for that which they have been given [from the booty of Banu an-Naḍeer], and give them [emigrants] preference over themselves even though they were in need of that. And whosoever is saved from his own covetousness, such are they who will be the successful.﴿ *(Qur'an 59: 9)*

This applies to the Anṣâr in particular, but it does not stop there, rather Allah (ﷻ) mentions others and says:

﴾And those who came after them say, 'Our Lord! Forgive us and our brethren who have preceded us in Faith, and put not in our hearts any hatred against those who have believed. Our Lord! You are indeed full of kindness, Most Merciful.'﴿ *(Qur'an 59: 10)*

This is general and applies to those who come after them. There is no one among the Muslims who does not have a right to this *fay'*. 'Umar said: "If I live, a shepherd in Ṣan'â' (Sana of Yemen) will most certainly get his share of this *fay'* without having to ask for it."[55]

According to another report, 'Umar said: "How about those Muslims who come and find that the land with its people has been divided and inherited from father to son and has become exclusively theirs? This is not a good idea." 'Abdur-Raḥmân ibn 'Awf said to him, "What is your opinion? The land and its people are no more than what Allah has given them as *fay'*." 'Umar said, "That is what you say but I do not say that. By Allah, no land will be conquered after me where there is a lot of *fay'*, rather it is likely to be a burden on the Muslims. If the land of Iraq and its people are shared out, and the land of Syria with its people, then who will guard the borders? What will be left for the children and widows of this land and other lands of Syria and Iraq?" They argued a great deal with 'Umar and said, "Will

[55] *Al-Kharâj* by Abu Yoosuf, p. 67; *Iqtiṣâdiyât al-Ḥarb*, p. 217.

you give what Allah has bestowed on us by means of our swords to people who were not present, and to their children and their children's children who were not present?" 'Umar did not say any more than, "This is my opinion." They said, "Consult others." So he sent for ten of the Anṣâr who were elders and nobles of al-Aws and al-Khazraj and addressed them, saying among other things, "I am like any one of you. Today you say what you think is right, and it does not matter who disagrees with me or agrees with me. I do not want you to follow what suits my whims and desires." Then he said, "You have heard the words of those who say that I have wronged them, but I thought that there would be nothing to be conquered after the land of Chosroes; Allah has given us their wealth, their land and their people and I divided the wealth they seized as booty among those who were entitled to it, and I took the *khums* and spent it as it should be spent. I thought that I would leave the land and the people working on it as they are, and impose the *kharâj* on them for it, and impose on them the *jizyah*, which they would pay and it would be a *fay'* for the Muslims, for the fighters and the children, and for those who come after them. Look at these borders which require men to guard them. Look at these great cities which need a huge army to protect them, which in turn needs money. Where will this money come from if I divide the land and its people?" They all said, "Your view is correct and you have spoken well. If you do not guard these borders and these cities with men, and you do not spend on them to keep them in good shape, the *kâfirs* will come back and take over the cities."[56]

'Umar also said: "If I divide it among them, it will become a fortune used by the rich among you (cf. Qur'an 59: 7), and the Muslims who come after you will not have anything. Allah has given them a right to that, as He (ﷻ) says:

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[56] *Al-Kharâj* by Abu Yoosuf, p. 67; *Iqtiṣâdiyât al-Ḥarb*, p. 217.

﴾And those who came after them...﴿ *(Qur'an 59: 10).*"

Then he said: "This refers to all the people until the Day of Resurrection." After that, 'Umar and the senior *Ṣaḥâbah* decided not to divide the land.[57]

From his discussion with the *Ṣaḥâbah* we can see 'Umar's style of argument, and how he combined the strength of evidence and presented it well, and sought to soften the heart of his opponents, in what he said to the Anṣâr when discussing the land of as-Sawâd. If there was a politician who had a great deal of experience in addressing parliament and he wanted to address the delegates in order to win their approval for some project, he could not come up with anything more eloquent than this. On top of that, 'Umar was distinguished by the fact that he meant sincerely what he said, and was not speaking as a crafty politician; his style is unparalleled.[58]

Did 'Umar go against the Prophet (ﷺ) in his ruling on the land of kharâj?

There are some who say that 'Umar went against the Messenger (ﷺ) by not dividing the land of *kharâj*, because the Prophet (ﷺ) divided Khaybar. They say that if the ruler leaves the land that was conquered by force as it is, that is going against the Sunnah. But this is wrong and is an audacious accusation against the Rightly-Guided Caliphs. What the Prophet (ﷺ) did in Khaybar indicates that what he did is permissible; it does not indicate that it is obligatory. Even if we did not have any evidence that it is not obligatory, the actions of the Rightly-Guided Caliphs 'Umar, 'Uthmân and 'Ali (may Allah be pleased with them) are sufficient to indicate that it is not obligatory. So how about the fact that Makkah

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[57] *Siyâsat al-Mâl fee al-Islâm fee 'Ahd 'Umar*, p. 105.

[58] *Akhbâr 'Umar*, p. 210.

was conquered by force as is narrated in many *aḥâdeeth*; in fact the reports narrated by the scholars of *Maghâzi* and *Seerah* reach the level of being *mutawâtir.*

When Quraysh broke the treaty, the Prophet (ﷺ) came and camped in Marr adh-Dhahrân. None of them came to seek a peace treaty with him, and he did not send anyone to seek a peace treaty with them. Rather Abu Sufiyân went out to reconnoitre and was caught by al-'Abbâs, who brought him as a prisoner, or at best we may say that al-'Abbâs gave him security and he was under his protection. Then he became Muslim, so how can it be imagined, once he became one of the Muslims, that he would make a peace treaty on behalf of the *kuffâr* without the permission of the *kuffâr*? What confirms that is the fact that the Prophet (ﷺ) stipulated conditions of safety for the *kuffâr* by saying: «"Whoever enters the house of Abu Sufiyân is safe; whoever enters the Mosque is safe; whoever locks his door is safe."»[59] Those who did not fight him were safe; if there had been a peace deal, there would have been no need to announce that.

Moreover, the Prophet (ﷺ) called them *ṭulaqa'* (freed ones), because he freed them from being held prisoner, such as Thamâmah ibn Athâl and others. And he gave permission to kill some of them, men and women. And it is proven in the books of *Ṣaḥeeḥ* that he said in his address to them: «"Fighting in Makkah was not made permissible for anyone before me and it will not be permissible for anyone after me, and it has only been permitted to me for a short while."»[60]

He entered Makkah wearing a helmet on his head, and he was not wearing *iḥrâm*. If there had been a peace deal, none of that would have been permissible for him. If he had made a peace treaty with any

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[59] Muslim, hadith no. 1780.

[60] Nasâ'i in *al-Kubra fee al-Ḥajj*, 2/38; *al-Fatâwa*, 20/313.

city that was not a sanctuary, it would not have been permissible for him to do any act of war therein, so how about the holy city whose people were at peace with him? Moreover, they fought Khâlid and a group of Muslims killed a group of *kuffâr*.

In conclusion, anyone who studies the reports will inevitably realize that Makkah was conquered by force, but despite that the Prophet (ﷺ) did not divide its land or take its men captive. He conquered Khaybar by force and he did divide it, and he conquered Makkah by force and did not divide it. So it is known that both are permissible.[61]

So 'Umar was not going against the guidance of the Prophet (ﷺ) when he did not divide the conquered lands. He based his decision on a number of principles, including the following:

1. The verse on *fay'* in *Soorah al-Ḥashr*.

2. The actions of the Prophet (ﷺ) when he conquered Makkah by force then left it to its people and did not impose the *kharâj* on it.

3. The decision of the *majlis ash-shoora* (consultative committee) which 'Umar formed to address this issue after the discussion and debate.

These became the guidelines that were followed with regard to land conquered by the Muslims, who decided to leave the land to its owners. Thus it becomes clear that when 'Umar differentiated between transferable booty and land, he was following the evidence of the texts, reconciling between them and understanding each of them in the proper way. In addition to that, 'Umar intended that the people of the conquered lands should keep their wealth and that the Muslim soldiers should be protected from the *fitnah* of fighting over

[61] *Al-Fatâwa*, 20/312, 313.

land and property and from the *fitnah* of laziness and being distracted by wealth and worldly accumulation.[62] 'Umar turned to the Holy Qur'an to seek a solution and he examined the various verses and sought a deep understanding of their meanings. He looked at them together and tried to find out the explanation of one by means of another until he reached conclusions that achieved the hoped-for purpose based on the spirit of shari'ah, without being restricted by the apparent meanings of the texts. He was helped through all these stages by his precise understanding of the aims of shari'ah which are included in these texts. This was a complex procedure which could not be undertaken by anyone except one who has experience in ijtihad and has been given a proper understanding and the courage to reach the right conclusions. It was thought by some that 'Umar was ignoring the divine text in some cases, but 'Umar could never do that; rather he was a man who excelled in ijtihad and had a deep understanding of the aims of shari'ah, to such an extent that when he voiced his opinion, Qur'an would be revealed which was in accordance with it. The conclusion that we draw from this case is that parts of the Qur'an explain other parts, and the same applies to the Sunnah. So when the *mujtahid* is seeking *shar'i* rulings he has to examine all the texts which will help him to find the answer, without restricting himself to only some of them, otherwise he will be regarded as falling short in his ijtihad, and whatever conclusion he reaches will be null and void.[63]

How was the principle of kharâj implemented at the time of 'Umar?

When the senior *Ṣaḥâbah* and decision-makers approved of 'Umar's suggestion of leaving the land with its owners and dividing

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[62] *Al-Ijtihâd fee al-Fiqh al-Islâmi*, p. 131.

[63] Ibid, Pp. 131, 132.

the transferable wealth among the conquerors, he appointed two senior persons as delegates, namely 'Uthmân ibn Ḥunayf and Ḥudhayfah ibn al-Yamân, to go and measure the land of as-Sawâd in Iraq. When he sent them on this mission, he gave them profound and wise advice. He commanded them to take note of the wealth of individuals, and how fertile or infertile the land was, and the types of plants and trees, and he commanded them to be kind to the people: they were not to be burdened with more than they could bear, rather they were to be left with what they needed for times of hardship and their regular needs. So that his decision would be based on a fair and just foundation, 'Umar wanted to find out the situation of the people of Iraq before the conquest. So he asked these two *Ṣaḥâbis*, 'Uthmân ibn Ḥunayf and Ḥudhayfah ibn al-Yamân, to send him a delegation of the leaders of as-Sawâd. They sent them to him and he asked them: "How much did you used to give to the Persians (as taxes) for your land?" They said: "Twenty-seven *dirhams*." 'Umar said, "I would not take that from you."[64] This indicates that the Islamic conquest was fair and just to the people whose lands were conquered. 'Umar thought that basing the *kharâj* on the size of the land was more fair to the people and would give a better return, without imposing more than they could bear. So 'Uthmân ibn Ḥunayf and Ḥudhayfah ibn al-Yamân did the job they were commanded to do in a commendable fashion, and the size of the land of as-Sawâd turned out to be 36,000,000.[65] For a field of grapevines the rate was ten *dirhams*; for a field of palm trees it was eighty *dirhams*; for a field of reeds it was six dirhams; for a field of wheat it was four *dirhams*, and for a field of barley it was two *dirhams*.[66] They wrote to 'Umar telling him about that and he approved it.

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[64] *Al-Kharâj* by Abu Yoosuf, Pp. 40, 41.

[65] Ibid, p. 38.

[66] Ibid, p. 39; *Siyâsat al-Mâl fee al-Islâm*, p. 108.

'Umar was keen to take care of the people of those lands and was keen to establish justice lest 'Uthmân and Ḥudhayfah had burdened the people and the land with more than they could bear. So he asked them: "How did you work out the taxes on the land? It may be that you have burdened the people with more than they can bear? Ḥudhayfah said: "I have left something for the people." 'Uthmân said: "I left double what I took, but if you wish I will take it." 'Umar said: "By Allah, if I live I will ensure that the widows of the people of Iraq would need no other ruler after me."[67]

The method that was employed in the Sawâd of Iraq was also implemented in the lands of Egypt, except that the one who was in charge there was 'Amr ibn al-'Âṣ and the unit used to measure the land for the *kharâj* was the acre (*feddân*).[68] 'Umar did the same with the land of Syria as he had done with the land of as-Sawâd, but the historians do not give any clear details of the unit of measurement or the types of crops and fruits on which the *kharâj* was imposed, or who undertook this procedure of measuring the lands of Syria.[69]

The caliph 'Umar made an accurate estimate of the governors' wealth before they were appointed, then when the governors finished their tours of duty, he would confiscate some of the wealth that they had accumulated for themselves during their tours of duty, if it became clear to him that their salaries did not allow them to accumulate all this wealth.[70] We will discuss that in more detail when we discuss the governors. The property of the state that 'Umar (ﷺ) had allocated to the *bayt al-mâl* in Iraq, Syria and Egypt became vast, and these properties brought a huge income to the state coffers,

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[67] *Al-Kharâj* by Abu Yoosuf, p. 40; *Siyâsat al-Mâl fee al-Islâm*, p. 108.

[68] *Ad-Dawlah al-'Abbâsiyah* by al-Khaḍari, p. 144; *Siyâsat al-Mâl*, p. 109.

[69] *Siyâsat al-Mâl fee al-Islâm*, p. 111.

[70] Ibid, p. 114.

especially in Egypt where the agricultural holdings of the state in ancient times were immense.[71]

What was achieved in security terms by not dividing the kharâj lands

There are a number of security interests that were served when the caliph and those who supported him took this decision. I can divide them into two categories, the first of which is internal interests, primarily blocking the way to disputes and fighting among the Muslims, guaranteeing the availability of a regular income for the land and people, and meeting the material needs of future generations of Muslims. The second category is external interests, the most important of which include providing an income to help protect the Muslim borders, meeting the need for men and supplies, the ability to equip armies and pay their salaries, financing equipment and weapons, and allowing some groups to take on the mission of guarding the border and the state's lands by relying on the income from these lands.

It must be noted here that by making this decision, the caliph wanted to lay down a strong foundation for political stability, not only in his own era but also in the following eras. His comments such as, "What about the Muslims who are yet to come?" and "I did not want some of the Muslims to be left out," indicate that he was thinking ahead and planning for comprehensive security. The development of political events during the reign of the second caliph prove that his view was correct.

The fact that the decision-making process with regard to the division of land had so many stages confirms two things: "One is that important decisions that are vital to Muslim interests may take a great

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[71] Op. cit., p. 118.

deal of time and effort, and they may require a certain amount of deliberation when exchanging ideas, without that leading to disputes or widening gaps, or leading to ignoring some interest that have to do with the present or future security and safety of the ummah. The other is that some important decisions may only be reached after a difficult debate and discussion and some initial confusion, which may require the ruler to bear the brunt of responsibility in narrowing the gap between opposing views, so that he may lead the Muslims to the *shar'i* ruling concerning the matter about which they are disputing.[72]

This exchange of views between the caliph and those of the *Ṣaḥâbah* who did not agree with him, with each group basing its views on the revealed texts, proves that the main point of expressing different views in political decisions in general, and those which have to do with the Muslims' interests in particular, is that these views must be based on the revealed texts.

The fact that the caliph consulted the senior *Ṣaḥâbah* who had knowledge of the fiqh of rulings and the sources of shari'ah, and their responding by offering him sincere advice, confirms that the people of *shoora* should have distinguishing qualities. Those whose advice is to be sought are the people of understanding and wisdom, who are aware of their role. More precisely, they should be those who do not follow current trends and who habitually train themselves to speak the truth and act upon it, not fearing the blame or criticism of a ruler or anyone else.

It remains to be said that what happened with regard to the decision not to divide the land represents a sublime example of how the *Ṣaḥâbah* debated and interacted in accordance with the etiquette and ethics of debate, examining different views, starting with

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[72] *Al-Ab'âd as-Siyâsiyah li Mafhoom al-Amn fee al-Islâm*, by Muṣṭafa Manjood, Pp. 317, 318.

thinking about the decision not to divide the land. Foremost among them was the caliph 'Umar who did not go beyond this etiquette despite the fact that their opinions differed.[73] Rather 'Umar explained that the ruler was simply another member of the *shoora* council. He announced his trust in the *shoora* council of the ummah, whether they agreed or disagreed with him, and he announced that he would refer to the Book of Allah. He (ﷺ) said: "I am like any one of you. Today you will base your decision on the truth, whether you disagree with me or agree with me. You have from Allah a Book that speaks the truth."[74]

The impact of this decision on da'wah

One of the most important effects of this decision was that it put an end to the feudal system. 'Umar abolished the unfair system that had made land-ownership a monopoly and enslaved the peasants to cultivate the land for nothing. 'Umar left the land of as-sawâd in the hands of the peasants, who were to cultivate it in return for paying a just tax (*kharâj*) which they would be able to afford each year. The peasants were pleased with the decision of 'Umar ibn al-Khaṭṭâb (ﷺ), which gave them possession of the agricultural land which they were to cultivate in return for the *kharâj* which they could afford. This made them feel for the first time in their lives that they, and not the feudal lords of the ruling class, were the owners of the agricultural land. The peasants had been simply workers who cultivated the land and got nothing in return, and all their hard work went to line the pockets of the feudal class of land-owners, who left them nothing but a few crumbs.[75]

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[73] Op. cit.

[74] *Ad-Dawr as-Siyâsi* by aṣ-Ṣafwah, p. 185.

[75] *Ad-Da'wah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb* by Ḥosny Ghayṭâs, p. 130.

Pre-emptive actions to stop the Byzantines and Persians calling the people to arms after they had been expelled

'Umar's policy of giving the land to the peasants of the regions that had been conquered by force made them feel content, as stated above. This made them hate their former rulers, the Persians and Byzantines, so they did not offer them any help. On the contrary, they offered help to the Muslims against them. The Persian commander, Rustam, called the people of al-Ḥeerah and said: "O' enemies of God, you rejoice at the Arabs' invasion of our land, and you help them against us, and you support them with money!"[76]

The people of the conquered lands hastened to enter Islam

Another result of giving the land to the peasants was that they hastened to enter Islam, which spread among them at an astonishing and unprecedented rate. They recognized justice and the truth became apparent to them, and they recognized their human dignity because of the manner in which the Muslims treated them.[77]

Managing the wealth to protect the borders

The Islamic state stretched in all directions and its borders expanded at an early stage. One of the most important of these borders was that which was known as the Euphrates border, which extended along a strategic line separating the Islamic state from the Byzantine Empire and other borders. In every region 'Umar kept as many horses as were needed, and the number of horsemen stationed on the borders was more than thirty thousand. This is in addition to the numbers of foot soldiers and other forces such as those who rode camels etc. 'Umar kept them as an army which was organized to protect the Muslim borders, and he guaranteed their provision so as

[76] *Ad-Da'wah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, p. 131.
[77] Ibid, p. 132.

to keep them from being distracted by anything from jihad for the sake of spreading the call of Islam. The *kharâj* was one of the means by which Allah made it possible to equip these forces and guarantee provisions for their soldiers.[78]

'Umar (ﷺ) laid down guidelines for the organization of the *kharâj* as an important source of income for the state coffers. The aim behind it was so that the *bayt al-mâl* would be able to do what it needed to of achieving the interests of the ummah, guarding the borders and securing the roads. That could only be achieved by keeping the people on the land which the Muslims had acquired by force, in return for a specific percentage of the yield of the land. This made them work harder and invest more time and effort in the land, and is in direct contrast with the way in which they had previously been exhausted by taxes by their rulers before the arrival of the Muslims.[79]

1.1.4. The *'ushoor* (tithe)

The *'ushoor* is a tax that is collected from traders who pass through the borders of the Islamic state, whether they are coming in or going out. It is akin to customs duties in the modern age. It is collected by an official who is known as *al-'Âshir*, i.e., the one who collects the *'ushoor*.[80]

This tax did not exist at the time of the Prophet (ﷺ) or the first caliph, Abu Bakr (ﷺ), because that was a period of calling people to Islam and jihad to spread the faith and establish the Islamic state. When the state expanded at the time of 'Umar (ﷺ) and its borders

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[78] Op. cit., p. 135.

[79] *Ahl adh-Dhimmah fee al-Ḥaḍârah al-Islâmiyah*, p. 63.

[80] *Al-Kharâj* by Abu Yoosuf, p. 271; *Iqtiṣâdiyât al-Ḥarb*, p. 223.

spread east and west, and the state began to trade with the neighbouring states, then it became necessary to serve the public interests. 'Umar decided to impose this tax on those who came to the Muslim lands just as *ahl al-ḥarb* (non-Muslims who were in a state of war with Islam) imposed it on Muslim merchants who came to their lands, by way of responding in kind.

Historians[81] are agreed that the first one to impose the *'ushr* in Islam was 'Umar ibn al-Khaṭṭâb (ﷺ). That occurred when the people of Manbij (near Aleppo in Syria) and people from beyond the sea of Yemen wrote to him asking him to allow them to come to the Arab lands with their merchandise and offering to pay one-tenth (*'ushr*) in return for that. 'Umar consulted the Companions of the Prophet (ﷺ) about that, and they agreed to it. So he was the first one to collect the *'ushoor*. But 'Umar wanted to be certain of the amount that other states were taking from the Muslim merchants when they crossed their borders, so he asked the Muslims: "What did the Ethiopians do to you when you enter their land?" They said, "They take one-tenth of what we have with us." He said, "Then take from them the same as they take from you."[82] He also asked 'Uthmân ibn Ḥunayf, "How much do *ahl al-ḥarb* take from you when you enter their country?" He said, "One-tenth." 'Umar said, "Then take the same from them."[83]

It was narrated that Abu Moosa al-Ash'ari wrote to the caliph 'Umar and said: "Some of our Muslim merchants go to the land of *ahl al-ḥarb* and they take one-tenth from them." The caliph 'Umar wrote back to him and said, "Take from them what they take from the Muslim merchants. Take half of one-tenth from *ahl adh-dhimmah,*

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[81] *Siyâsat al-Mâl fee al-Islâm*, p. 128.

[82] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 651.

[83] Ibid.

and take from the Muslims one *dirham* for every forty, but take nothing if there is less than two hundred. If there is two hundred, then five *dirhams* are due, and whatever there is above that is to be worked out on the same basis."[84]

This new legislation played a role in regulating trade relations between states. Muslim traders earned a great deal when the doors of the Islamic state opened to trade, and goods came into the Muslim state from all corners of the earth. This naturally encouraged both Muslim and foreign traders to increase their efforts in importing and exporting goods from all parts of the world. Thus commercial centres became active in all parts of the Muslim state, including the Arabian Peninsula, and trade caravans came and went from all regions of Arabia to other Islamic regions. The ports of the Muslim world received the great ships which reached them from India, China and East Africa, laden with the most precious of goods. All these activities were evident during the time of the Rightly-Guided Caliphs and the Umayyad state.[85]

During 'Umar's reign, the tax-collectors took zakah from the wealth of the traders who passed by them, taking into account the set thresholds and whether a full year had passed. Anas ibn Mâlik said: 'Umar ibn al-Khaṭṭâb sent me to collect the zakah of Iraq, and said: "If a Muslim's wealth reaches two hundred *dirhams*, take five *dirhams* from it. If it is more than two hundred, then take one *dirham* from every forty."[86]

Ash-Shaybâni stated that 'Umar ibn al-Khaṭṭâb sent Ziyâd ibn Jareer (or it was said Ziyâd ibn Ḥadeer) to collect the zakah from

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[84] *Al-Kharâj* by Abu Yoosuf, p. 145, 146; *Siyâsat al-Mâl*, p. 128.

[85] *At-Tijârah wa Ṭuruquha fee al-Jazeerah al-'Arabiyah*, by Dr. Muhammad al-'Imâdi, p. 332.

[86] *Al-Ḥayât al-Iqtiṣâdiyah fee al-'Usoor al-Islâmiyah al-Oola*, p. 101.

'Ayn at-Tamr. He told him to take one-quarter of one-tenth (2.5%). He was to take one-half of one-tenth from *ahl adh-dhimmah* if they had trade goods, and one-tenth from *ahl al-ḥarb*. 'Umar gave the *'Âshir* a salary from the wealth that he collected.[87]

The one who studies the way in which the caliph 'Umar ibn al-Khaṭṭâb (ﷺ) defined the taxes for different groups will reach the conclusion that he imposed the *'ushr* (one-tenth) on *ahl al-ḥarb* because that is how they treated the Muslims. This is the principle of treating like with like. He imposed half of one-tenth on *ahl adh-dhimmah* to distinguish them from the Muslims, and in accordance with what he had previously imposed on the Christians of Banu Taghlib who agreed to let him take from them a *jizyah* that was double what he took from the Muslims in zakah.

What he collected from the Muslims was akin to zakah, and the threshold for zakah on trade goods is well known. This threshold is what he set as the minimum limit for taking it. He did not allow it to be taken from the Muslims and *ahl adh-dhimmah* more than once, so long as the capital remained and the value of the incoming goods did not become more than the capital, even if it was brought in more than once, until after one full year had passed. This was in accordance with the principle of treating like with like.

When *ahl al-ḥarb* increased the taxes that they took from the Muslims, the Muslims had the right to increase the taxes on the goods they brought into the Muslim lands by the same amount. Similarly, when they waived the taxes, the Muslims were bound to waive the taxes for them. This is how states operate nowadays, and it is called lifting customs barriers.[88]

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[87] *Sharḥ as-Siyar al-Kabeer*, 5/2133, 2134; *al-Ḥayât al-Iqtiṣâdiyah*, p. 101.
[88] *Siyâsat al-Mâl fee al-Islâm*, p. 132.

When the Muslims needed some goods and products that were imported to them, they lowered the taxes or let the merchants off, so as to encourage them to bring in more. The caliph 'Umar did that, when he told his agents to take one-half of one-tenth from the *ahl al-ḥarb* when they brought olive oil and grains into Arabia. He also let them off on other occasions.

It was narrated from az-Zuhri, from Sâlim, from his father, that 'Umar used to take one-tenth from the Nabataeans for cotton goods, and half of one-tenth for wheat and olive oil, so that more of these goods would be brought to Madeenah.[89]

These financial regulations which were introduced at the time of the caliph 'Umar ibn al-Khaṭṭâb (ﷺ) played a great role in facilitating trade between the Muslims and their neighbours and in bringing in many kinds of goods that the people wanted and needed. His concern was not limited only to organizing the income that came to the *bayt al-mâl*, rather he also looked at ways by means of which the income of the *bayt al-mâl* could be increased so that the land would be blessed with ease and prosperity. That included his interest in external trade and treating the merchants well, following up with the agents and governors and writing to them. He was keen that the state should get its rightful dues without being harsh in collecting them.[90]

1.1.5. *Fay'* and *ghanâ'im* (types of booty)

Fay' refers to all kinds of wealth which reaches the Muslims from the *mushrikeen* without fighting. One-fifth (*khums*) of the *fay'* is to be distributed to those who are entitled to the *khums*[91], whom

[89] *Siyâsat al-Mâl fee al-Islâm*, p. 133.

[90] Ibid.

[91] *Târeekh ad-Da'wah al-Islâmiyah*, by Dr. Jameel 'Abdullâh al-Maṣri, p. 322.

Allah defined in His Book when He (ﷻ) said:

﴾What Allah gave as booty [*Fay'*] to His Messenger [Muhammad] from the people of the townships — it is for Allah, His Messenger [Muhammad], the kindred [of Messenger Muhammad], the orphans, *al-Masâkeen* [the poor], and the wayfarer.﴿ *(Qur'an 59: 7)*

Ghanâ'im refers to the wealth of *ahl al-ḥarb* that the Muslims acquire by force.[92] Allah (ﷻ) says:

﴾And know that whatever of war-booty that you may gain, verily, one-fifth [1/5th] of it is assigned to Allah, and to the Messenger, and to the near relatives [of the Messenger (Muhammad)], [and also] the orphans, *al-Masâkeen* [the poor] and the wayfarer, if you have believed in Allah and in that which We sent down to Our slave [Muhammad] on the Day of Criterion [between right and wrong], the Day when the two forces met [the battle of Badr]; and Allah is Able to do all things.﴿ *(Qur'an 8: 41)*

During the caliphate of 'Umar (رضي الله عنه) the booty increased greatly because of the conquest of vast areas that were prosperous. The leaders of the Persians and Romans used to go out to the battlefield with all their wealth and splendour, which all fell into the hands of the Muslims, on occasion reaching amounts of 15,000 *dirhams* or 30,000 *dirhams*.[93]

Great cities such as al-Madâ'in, Jaloola', Hamdhân, ar-Rayy, Aṣṭakhar and others were conquered, and the Muslims acquired a great deal of wealth, such as the carpet of Chosroes, which was 3600 square cubits, covered with gold and decorated with precious stones, with images of fruit in gems and covered with silk that had images of

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[92] *Al-Kharâj* by Abu Yoosuf, p. 19, quoting from *'Aṣr al-Khilâfah ar-Râshidah*, p. 183.

[93] *'Aṣr al-Khilâfah ar-Râshidah*, p. 188.

flowing water drawn in gold. It was sold for twenty thousand *dirhams*. The Muslims also acquired a great deal of gold, silver and precious stones from the booty of Jaloola' and Nahawand. The *khums* of Jaloola' reached six million *dirhams*.[94]

The greatest booty came from the land of as-Sawâd which 'Umar established as a *waqf* for the state, and the lands of aṣ-Ṣawâfi whose owners had been killed or had fled, and the lands of Chosroes and his family, the produce of which went to the state, so they were managed in order to provide extra income to the *bayt al-mâl*. It was said that its produce eventually reached seven million *dirhams*.

The booty was immense and it made the Muslims rich both on the individual and state level and raised the standard of living. Its effects were seen more clearly during the caliphate of 'Uthmân (ﷺ).[95]

These were the most important sources of state income at the time of 'Umar (ﷺ).

1.2. The *bayt al-mâl* of the Muslims and the establishment of official records

The *bayt al-mâl* is the place to which the income of the state is brought and the place from which all the outgoings of the state come, such as the stipends paid to the caliphs, armies, judges and agents and the expenses of public facilities and other things that belong to the state.[96]

Official records (*dawâween*, sing. *diwân*) refers to the documents in which are recorded the affairs of the state. The word

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[94] *'Aṣr al-Khilâfah ar-Râshidah*, p. 189.

[95] Ibid.

[96] *Siyâsat al-Mâl fee al-Islâm*, p. 155.

diwân was given by the Persians to the place where the scribes and employees in charge of these records gather.[97]

Initially the Islamic state did not have a *bayt al-mâl* in the sense that was known later on, because the policy of the Messenger (ﷺ) was not to delay in dividing or spending wealth. Abu Bakr followed the same method as the Prophet (ﷺ), and 'Umar followed the same way as his two companions at the beginning of his caliphate, until the authority of the Islamic state spread east and west. Then he started to think of a way to manage the wealth and booty, and the income from *jizyah*, *kharâj* and zakah, that was being accumulated by the caliph as the result of the conquests. Moreover, the army had expanded and needed a way to manage its needs and record the names of its men, lest some of them miss out on payments and others be paid more than once.

The conquests and victories continued, and wealth continued to increase in a way that the Muslims had never known before. 'Umar decided that it was beyond the capability of the caliph and his governors to keep track of everything, and that it was economically unwise to leave control of financial affairs in the hands of the agents and governors without regulating it or keeping accounts. The result of that thinking was the establishment of rules to control the way in which this wealth was handled. Thus the *diwân* was set up. 'Umar was the first one to establish the *diwân* (official records) in the Islamic state.[98]

How that happened was narrated by the historians: "Abu Hurayrah said that he came from al-Baḥrayn with five hundred thousand *dirhams* and I went to 'Umar ibn al-Khaṭṭâb (رضي الله عنه), who asked me about the people and I told him. Then he asked me, 'What

[97] *Muqaddamat Ibn Khaldoon*, 243; *Siyâsat al-Mâl fee al-Islâm*, p. 155.

[98] *Siyâsat al-Mâl fee al-Islâm*, p. 157.

have you brought?' I said, 'I have brought five hundred thousand *dirhams.*' He said, 'Woe to you! Do you know what you are saying?' I said, 'Yes, a hundred thousand, and a hundred thousand, and a hundred thousand, and a hundred thousand, and a hundred thousand.' He said, 'You must be tired, go back to your family and sleep, and come to me in the morning.' The next morning, I went to him and he again asked, 'What have you brought?' I said, 'I have brought five hundred thousand *dirhams.*' He said, 'Woe to you! Do you know what you are saying?' I said, 'Yes, a hundred thousand...' and I counted it five times on my fingers. He said, 'Are you sure?' I said, 'I do not know anything other than that.' He ascended the *minbar* and praised and glorified Allah, then he said, 'O' people, a great deal of wealth has come to us. If you wish, we will give it to you by measure, or if you wish we will count it out for you.' A man stood up and said, 'O' *Ameer al-Mu'mineen*, I think that these Persians keep records for themselves.'[99] 'Umar liked the idea[100], so he consulted the Muslims about keeping records. Some of them gave their suggestions, except for al-Waleed ibn Hishâm ibn al-Mugheerah, who said, 'I went to Syria and I saw that their kings kept records and organized the army. So keep records and organize the army.' According to some reports, the one who said that was Khâlid ibn al-Waleed."[101]

Some historians state that there was one of the Persian satraps in Madeenah, and when he saw that 'Umar was not sure what to do, he said to him: "O' *Ameer al-Mu'mineen*, the rulers of Persia have something that they call *diwân*. Whatever income they get and whatever they spend is all controlled and nothing is left unrecorded. The people who are entitled to stipends are all written down under different categories with no room for error." 'Umar liked this idea

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[99] *Aṭ-Ṭabaqât* by Ibn Sa'd, 3/300, 302, a *ṣaḥeeḥ* report.

[100] *Muqaddimat Ibn Khaldoon*, p. 244; *al-Kharâj* by Abu Yoosuf, Pp. 48, 49.

[101] *Al-Aḥkâm as-Sulṭâniyah*, Pp. 226, 227; *Futooḥ al-Buldân*, p. 436.

and said, "Describe it for me." So the satrap described it for him, then he compiled the official records of those who were entitled to stipends.[102]

'Uthmân liked the idea of keeping official records and he suggested: "I think that there is enough wealth for everybody, but if no records are kept of who has taken something and who has not, I fear that money may be wasted."[103]

These are some of the reports which indicate that 'Umar consulted those who were with him numerous times. There is a difference of opinion among the historians as to the year in which the official records were set up. Some say that it was in 15 A.H., such as aṭ-Ṭabari, who was followed by Ibn al-Atheer and others. Other historians say that it was in Muḥarram 20 A.H., such as al-Balâdhuri, al-Wâqidi, al-Mâwirdi, Ibn Khaldoon[104] and others. It is more likely to have happened in 20 A.H., because in 15 A.H. the battle of al-Qâdisiyah took place, and the conquests of Iraq, Syria and Egypt were not completed until after that.[105]

'Umar divided the wealth in a manner different to that employed by Abu Bakr. Abu Bakr had divided the wealth among the people equally, whereas 'Umar divided it on the basis of seniority in Islam (who had come to Islam first), participation in jihad and support for the Messenger of Allah (ﷺ).[106] 'Umar thought that this was what should be done during the time of Abu Bakr, and when he saw Abu Bakr dividing the wealth equally among the people he said to him: "Are you giving equal shares to those who migrated twice

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[102] *Al-Aḥkâm as-Sulṭâniyah*, p. 226; *Târeekh al-Islâmi as-Siyâsi*, 1/456.
[103] *Al-Aḥkâm as-Sulṭâniyah*, p. 226; *Siyâsat al-Mâl*, p. 158.
[104] *Muqaddimat Ibn Khaldoon*, p. 244; *Siyâsat al-Mâl*, p. 159.
[105] *Siyâsat al-Mâl fee al-Islâm*, p. 159.
[106] Ibid.

and prayed facing both *qiblahs* and to those who became Muslim during the year of the Conquest out of fear of the sword?" Abu Bakr said to him: "What they did was for the sake of Allah and their reward is with Allah. In this world all that you need is what a traveller needs." 'Umar said to him: "Do not make one who fought against the Messenger of Allah (ﷺ) like one who fought alongside him."[107]

Hence 'Umar divided the people into different categories when he allocated wealth, as follows:

- Those who had come to Islam first and strove hard, by means of whose jihad this wealth had become possible
- Those who brought benefits to the Muslims, such as governors and scholars who brought both worldly and spiritual benefits
- Those who strove to ward off harm from the Muslims, such as the *Mujâhideen* who were fighting for the sake of Allah, soldiers, spies, advisors and so on
- Those who were in need[108]

This policy of dividing wealth is what 'Umar referred to when he said: "No one has more right to this wealth than anyone else, but a man is paid according to his seniority, or according to how much benefit he brings to the Muslims, or according to how much he strives to ward off harm, or according to his needs.[109]

'Umar called 'Aqeel ibn Abi Ṭâlib, Makhramah ibn Nawfal and Jubayr ibn Muṭ'im — who were young men of Quraysh — and said: "Write down the people's names according to their status."

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[107] *Al-Aḥkâm as-Sulṭâniyah* by al-Mâwirdi, p. 201.

[108] *As-Siyâsah ash-Shar'iyyah* by Ibn Taymiyah, p. 48; *Awlawiyât al-Fârooq*, p. 358.

[109] *Jâmi' al-Uṣool*, 2/71; *Akhbâr 'Umar*, p. 94.

They started with Banu Hâshim and wrote down their names, then they wrote down Abu Bakr and his people, then 'Umar and his people, and they wrote down all the tribes, and gave that to 'Umar. When he looked at it, he said: "No, this is not how I wanted it to be. Start with those who are closest to the Prophet (ﷺ), then the next closest and the next closest, and put 'Umar where Allah put him."

Banu 'Adiyy came to the caliph 'Umar (ﷺ) and said: "You are the successor (*khaleefah*) of the Messenger of Allah (ﷺ), the successor of Abu Bakr (ﷺ), and Abu Bakr was the successor of the Messenger of Allah (ﷺ). Why don't you put yourself in the category where these people who wrote it down suggested you should be?" He said, "No, no, O' Banu 'Adiyy. Do you want to take advantage of me? Do you want me to give my *ḥasanât* to you? You are to be placed in the right position even if it is at the bottom of the list. I have two companions who followed a path, and if I follow a different path I will end up in a different place. By Allah, we have not reached such a high position in this world and we do not hope for reward from Allah except by virtue of Muhammad (ﷺ). He is our leader and his people are the noblest of the Arabs, then the next closest and the next closest..."[110]

'Umar began to record in his official records the names of those who were entitled to stipends and how much they were entitled to. This was called *diwân al-jund* (the record of the troops) on the basis that all the Muslim Arabs were soldiers in jihad for the sake of Allah. In his record of the troops he started with Banu Hâshim, those who were closest to the Messenger of Allah (ﷺ), then those who were next closest, then those who came after them in different categories, and he gave each of the Muslims a certain amount. He allocated stipends to the wives and concubines of the Prophet (ﷺ),

[110] *Futooḥ al-Buldân*, p. 436; *al-Aḥkâm as-Sulṭâniyah*, p. 227.

and to all the Muslims, men, women and children from birth, and slaves, in varying amounts.[111]

By devising the record, 'Umar demonstrated his concern for jihad for the sake of Allah. He paid a great deal of attention to the *Mujâhideen* and the protection of their rights. The records of troops were kept in Arabic in Madeenah, at the hands of a number of brilliant men of Quraysh and those who had knowledge of their lineages. Then he ordered that similar records be kept in other parts of the Muslim world. These records were kept in the languages of the conquered lands, and were not translated into Arabic until the caliphate of 'Abdul-Malik ibn Marwân and his son al-Waleed.

After compiling these records, 'Umar began to collect the wealth for a year, then he divided it among the people, because he thought that collecting it would bring a greater blessing. Collecting the wealth needed trustworthy people. Zayd ibn Arqam was in charge of the *bayt al-mâl* at the time of 'Umar.[112] Abu 'Ubayd narrated with his isnad from 'Abdul-Qâri — from the tribe of al-Qârah — that he said: "I was in-charge of the *bayt al-mâl* at the time of 'Umar ibn al-Khaṭṭâb (ﷺ)."[113]

1.3. Expenditure of the state at the time of 'Umar

The expenditure of the *bayt al-mâl* may be divided into three categories: expenditure of zakah, expenditure of *jizyah, kharâj* and *'ushoor*, and expenditure of *ghanâ'im* (booty). The Qur'an and

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[111] *Siyâsat al-Mâl fee al-Islâm*, p. 160.

[112] *Ṣubḥ al-A'sha fee Qawâneen al-Insha'* by al-Qalqashandi, 1/89.

[113] *Fiqh az-Zakâh*, 1/318; This source and the one above are from *Siyâsat al-Mâl*, p. 160.

Sunnah, and the actions of the *Ṣaḥâbah* (may Allah be pleased with them) explain the ways in which these types of wealth were spent.[114]

1.3.1. Expenditure of zakah

Allah describes eight categories of people to whom zakah is to be given, as He (ﷻ) says:

﴿*Aṣ-Ṣadaqât* [here it means Zakah] are only for the *Fuqarâ'* [poor], and *al-Masâkeen* [the poor] and those employed to collect [the funds]; and to attract the hearts of those who have been inclined [towards Islam]; and to free the captives; and for those in debt; and for Allah's Cause [i.e. for *Mujâhidoon* — those fighting in a holy battle], and for the wayfarer [a traveller who is cut off from everything]; a duty imposed by Allah. And Allah is All-Knower, All-Wise.﴾ *(Qur'an 9: 60)*

The poor and needy at the time of 'Umar were given enough of this wealth to distance them from poverty and want and raise them to the lowest levels of independence and prosperity.[115] 'Umar used to say: "When you give, give enough to make a poor man independent of means."[116]

This was 'Umar's wise policy. He would give enough and more to who were temporarily unable to work because of sickness etc. For those who were chronically incapacitated, he would still give them zakah. 'Umar's policy went beyond the Muslims to include the people of the Book too, after the *jizyah* had been waived for them.[117]

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[114] *Siyâsat al-Mâl fee al-Islâm,* p. 169.

[115] *An-Nidhâm al-Islâmi al-Muqârin,* p. 112; *Siyâsat al-Mâl,* p. 171.

[116] *Al-Amwâl* by Abu 'Ubayd, 4/676; *Siyâsat al-Mâl,* p. 171.

[117] *Siyâsat al-Mâl fee al-Islâm,* p. 172.

Another of the groups on whom zakah may be spent is those who are employed to collect it, who have various roles and tasks, all of which have to do with the organizing and calculating of zakah, such as finding out for whom it is obligatory, on what kind of wealth it is obligatory, how much is due, to whom it must be paid, how many of them there are, what the extent of their need is and how much is sufficient for them, and other matters which need a full team of experts and specialists and people to support them.[118]

With regard to those whose hearts are to be to reconciled, 'Umar waived their share, because Islam was in a strong position during his caliphate, so there was no need to spend zakah wealth on this category, which is one of the eight categories mentioned in the verse.[119] But nowadays there are still people whose hearts need to be reconciled or won over to Islam in one way or another, and there are those who meet the conditions of this category.[120] Some opponents of Islam have used this story of 'Umar's waiving the share of those whose hearts are to be reconciled to make their claim that by doing so, 'Umar stopped a ruling that is mentioned in Qur'an. This claim is not correct, and it ignores the facts of the matter, because in fact 'Umar stopped the share of those whose hearts are to be won over for a reason, which is that Islam had become powerful and strong after it had been weak at the beginning. He thought that there was no need to win over the hearts of these people after Islam had become victorious and powerful.[121] The *Ṣaḥâbah* agreed with 'Umar's decision and their agreement was not given without thought, rather they were convinced of the reasons for stopping the share to those whose hearts were to be won over, because Islam had become strong which meant

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[118] Op. cit., p. 173.

[119] *'Aṣr al-Khilâfah ar-Râshidah*, p. 202.

[120] *Siyâsat al-Mâl fee al-Islâm*, p. 175.

[121] Ibid, Pp. 177, 178.

there was now no need to worry about a small number who carried no weight, since many nations had now entered Islam. There was no reason to fear these people. Rather the fear was that they might become dependent on this income. Moreover, their share was not something to be inherited, generation after generation.[122]

'Umar did not look at this text about those whose hearts are to be reconciled in a rigid way. He understood that the aim of the text was to support Islam by bringing the leaders of the Arabs into the faith and making those who became Muslim steadfast in Islam. He looked at the reason behind the text, not the apparent meaning. Allah had made Islam victorious and increased its numbers, so giving these shares now — in 'Umar's view — was a kind of humiliation. The reason for which Allah had allocated a share of zakah to those whose hearts were to be reconciled was no longer present. Based on this, 'Umar stopped this share and did not give it to them.

Based on this sound understanding, we cannot say that 'Umar abolished acting on this Qur'anic verse which speaks of giving a share of zakah to those whose hearts are to be reconciled, because abolishing comes under the heading of abrogation, and no one can abrogate Qur'an except the Lawgiver. Hence abrogation came to a stop after the death of the Messenger (ﷺ).[123] 'Umar was paying attention to changing circumstances as we have stated above.[124]

Zakah is also to be spent on freeing slaves, helping debtors, supporting jihad for the sake of Allah, and helping wayfarers. The Qur'an paid a great deal of attention to the matter of wayfarers and gave them a share of zakah and *fay'*, and of the *khums* of war booty. The attention that Islam paid to travellers, strangers and those who

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[122] *Al-Ab'âd as-Siyâsaiyah li Mafhoom al-Amn fee al-Islâm,* p. 306.

[123] *Al-Ijtihâd fee al-Fiqh al-Islâmi,* Pp. 132, 133.

[124] Ibid, p. 134.

were cut off or stranded is unrivalled in any other system or law. This concern is confirmed by the teachings of the Prophet (ﷺ) and Abu Bakr. During his reign, 'Umar ibn al-Khaṭṭâb (ؓ) set up a special institution known as *dar ad-daqeeq*, in which were kept flour (*daqeeq*), *saweeq*, dates, raisins and other necessary goods which were used to help stranded travellers, guests and those who came to stay as guests of 'Umar. 'Umar placed on the routes between Makkah and Madeenah whatever stranded travellers might need to get from one oasis to the next.[125]

This definition of the eight categories who were entitled to zakah required the state to know their names and how many of them there were. So records had to be kept in each land, and also in the capital of the state. A special department was set up for zakah under the auspices of the caliphate, with branches in each province. That was set up during 'Umar's caliphate after the public records had been set up.[126]

If we look at the eight categories mentioned in the verse, we will notice that they encompass religious, political and social interests of calling for jihad for the sake of Allah, forming armies, striving to put an end to poverty, paying off debts and meeting the needs of the needy. In other words they include all the requirements of society and the establishment of security, love and harmony amongst people.[127]

1.3.2. Expenditure of *jizyah, kharâj* and *'ushoor*

These funds were spent on stipends for the caliph, governors, troops, *ahl al-bayt*, the wives of the *Mujâhideen*, etc.

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[125] *Aṭ-Ṭabaqât*, 3/283.

[126] *Siyâsat al-Mâl fee al-Islâm*, p. 184.

[127] Ibid.

The caliph's stipend

Five thousand *dirhams* (or six thousand, according to another report) were allocated to the caliph 'Umar ibn al-Khaṭṭâb.

Governors' stipends

This is what was given to the governors of the various regions. During his caliphate, 'Umar appointed a strong and resolute governor to rule and administer each province, and he provided him with a number of helpers, assistants, collectors, judges, scribes, workers to deal with *kharâj* and zakah, and others. The governor was to lead the prayers and to lead the people at times of war, and he had another agent under him whose role was to collect money. There were other skilled and experienced workers whose job was to measure land, calculate taxes and keep records of the names of people. They were given salaries commensurate with their positions and the tasks required of them, how near or far the region was, its degree of prosperity and whether the cost of living there was high or low. No set date was given for paying out stipends.[128] We will discuss these agents and workers in more detail when we speak about the institution of *al-'ummâl* (agents).

Army salaries

'Umar was concerned about the army and he organized records for the army (*diwân*). He divided wealth on the basis of close relationship to the Prophet (Blessings and peace be upon him) and seniority in Islam.[129] Hence those who were at the top of the list for a regular salary were the family of the Messenger of Allah (ﷺ), namely Banu Hâshim. Al-'Abbâs (may Allah be pleased with him) would take the payment and distribute it among them. Then came the

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[128] *Siyâsat al-Mâl fee al-Islâm*, p. 198.

[129] *Al-Aḥkâm as-Sulṭâniyah*, p. 227; *Siyâsat al-Mâl*, p. 119.

wives of the Prophet (ﷺ), to each of whom was given a salary separate from that of *ahl al-bayt*.

The rest of the Muslims were divided into categories based on their participation in jihad for the sake of Allah, starting with those who had been at Badr, then those who had fought after Badr and up to al-Ḥudaybiyah, then those who had fought from al-Ḥudaybiyah up to the end of the Riddah wars, then those who had been present at al-Qâdisiyah and al-Yarmook, and so on. He allocated special funds to the wives of the warriors and their children from birth. He did not ignore slaves and foundlings either, he allocated an annual stipend for them, the least of which was one hundred *dirhams*, which increased when they reached puberty.[130] He also allocated between one and two thousand to freed slaves.[131]

The stipend given to the wives of the Prophet (ﷺ) was ten thousand *dirhams* annually, except for Juwayriyah, Safiyyah and Maymoonah, who were given less than that. Then it was increased to twelve thousand *dirhams*, except for Safiyyah and Juwayriyah, who were given six thousand *dirhams*. 'Â'ishah (ﷺ) asked for equal amounts to be given to all the Mothers of the Believers, and 'Umar agreed to that.

The stipend for the *Muhâjireen* and Anṣâr was four thousand *dirhams* for each person each year, except for 'Abdullâh ibn 'Umar ibn al-Khaṭṭâb, who was allocated three thousand five hundred *dirhams*. The reason given was that his father had brought him with him when he migrated, so he was not like one who had migrated for himself.[132] 'Abdullâh had been a child at the time of the Hijrah. Then one thousand was added to the stipend of the *Muhâjireen*, so their

130 *Aṭ-Ṭabaqât*, 3/301.

131 *Târeekh al-Ya'qoobi*, 2/153, 154.

132 *'Aṣr al-Khilâfah ar-Râshidah*, p. 214.

stipend became five thousand *dirhams* annually.[133] It seems that this was given only to those of the *Muhâjireen* and Anṣâr who had been present at Badr.[134] Those who had been present at the treaty of al-Ḥudaybiyah were given a stipend of three thousand *dirhams* each year.[135]

Every newborn was given a stipend of one hundred *dirhams*. It was originally allocated to weanlings, then it was allocated to newborns lest parents be too hasty in weaning their children.

With regard to freed slaves, the nobles among them, such as al-Hormuzân when he became Muslim, were given two thousand *dirhams* and other allowances.

In addition to the annual stipend, 'Umar used to give out various other payments.[136] In addition to the stipends and gifts mentioned above, each individual was also given a measure of wheat every month.[137] The caliph 'Umar (ﷺ) said at the end of his reign: "If wealth increases, I would give each man four thousand *dirhams*: a thousand for travelling, a thousand for his weapon, a thousand to leave behind for his family, and a thousand for his horse and mule."[138]

'Umar believed that every Muslim had a right to the *bayt al-mâl* from the cradle to the grave. He declared this principle when he said: "By Allah, besides Whom there is no other god (which he repeated three times), there is no one who does not have a right to this wealth, whether it is given to him or withheld from him. I am just like

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[133] Op. cit., p. 214.
[134] Ibid.
[135] Ibid., p. 215
[136] Ibid.
[137] *Siyâsat al-Mâl fee al-Islâm*, p. 202.
[138] *Siyâsat al-Mâl fee al-Islâm*, p. 203; *aṭ-Ṭabaqât al-Kubra*, 3/298.

any one of you with regard to it, but we are all entitled to it in accordance with our position as indicated in the Book of Allah and our position with regard to the Messenger of Allah (ﷺ). So a man is paid according to his seniority, or according to how much benefit he brings to the Muslims, or according to how much he strives to ward off harm, or according to his needs. By Allah, if I live, a shepherd in the hills of San'â' (Sana) will get his share of this wealth where he is, before he dies.[139]

It is important to explain 'Umar's point of view in not allocating equal shares among the Muslims, his clear support for the relatives of the Messenger of Allah (ﷺ) and the senior *Ṣaḥâbah* among the *Muhâjireen* and Anṣâr, and his attention to seniority in Islam and contribution to jihad. Undoubtedly the group that had acquired all this plentiful wealth during his caliphate was the group on whose shoulders the Islamic state was built. They also had more understanding of Islam and its aims, and adhered more closely to its laws, and they were more righteous and pious in dealing with wealth and using it to achieve the social aims by means of spending. Supporting this group economically strengthened its power in society and made it more able to enjoin what is good and forbid what is evil. It may be noted that 'Umar resolved to change this policy of preference and give everyone equal shares. He clearly stated that at the end of his caliphate when he said: "If I live until next year, I will make the last of the people equal to the first, and I will treat them all the same."[140]

'Umar's views on public wealth were expressed when he said: "Allah has made me the keeper of this wealth, and the divider thereof." Then he said: "Rather Allah has decided how it is to be

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139 *Aṭ-Ṭabaqât al-Kubra*, 3/299; *Kitâb al-Kharâj* by Abu Yoosuf, p. 50.

140 *'Aṣr al-Khilâfah ar-Râshidah*, p. 216; *al-Amwâl* by Ibn Zanjawayh, 2/576.

divided."[141] He wept when he saw the huge amount of wealth that had been brought to the *bayt al-mâl* during the conquest of Persia. When 'Abdur-Raḥmân ibn 'Awf pointed out to him that this was a day of thanksgiving and joy, 'Umar said: "No. This is never given to a people but it stirs up enmity and hatred among them."[142] He looked at the wealth from the conquest of Jaloola' and recited the verse:

﴾Beautified for men is the love of things they covet; women, children, much of gold and silver...﴿ *(Qur'an 3: 14)*

He said: "O' Allah, we cannot help but rejoice in that which has been beautified for us, so make me spend it rightfully, and I seek refuge in You from its evil."[143]

1.3.3. The expenditure of *ghanâ'im*

With regard to the distribution of *ghanâ'im*, it was to be divided as described in the verse in which Allah (ﷻ) says:

﴾And know that whatever of war-booty that you may gain, verily, one-fifth [1/5th] of it is assigned to Allah, and to the Messenger, and to the near relatives [of the Messenger (Muhammad)], [and also] the orphans, *al-Masâkeen* [the poor] and the wayfarer...﴿ *(Qur'an 8: 41)*

As for the remaining four-fifths of the booty, they were distributed among the warriors, with each horseman getting three shares — two for his horse and one for him — and each foot soldier getting one share.[144]

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[141] The report is *ṣaḥeeḥ*. *'Aṣr al-Khilâfah ar-Râshidah*, p. 216.

[142] *'Aṣr al-Khilâfah ar-Râshidah*, p. 217, the report is *ṣaḥeeḥ*.

[143] *'Aṣr al-Khilâfah ar-Râshidah*, p. 217, the report is *ḥasan*.

[144] *Al-Kharâj* by Abu Yoosuf, p. 22.

When the Prophet (ﷺ) was alive, he had a share which he spent on himself and his wives. Whatever was left of these shares was spent on public interests or on the poor and needy. The relatives of the Messenger (ﷺ) had the second share, namely Banu Hâshim and Banu 'Abdul-Muṭṭalib, who had submitted to Islam and become Muslims. After the death of the Prophet (ﷺ), the people differed concerning these two shares, the share of the Messenger (ﷺ) and the share of his relatives. Some said that the share of the Messenger (ﷺ) should be given to the caliph after him, and others said that the share of the relatives should be given to the relatives of the Messenger (ﷺ). Another group said that the share of the relatives should be given to the relatives of the caliph after him. Then they agreed to spend these shares on mounts and weapons.[145] Thus the two shares were spent in the public interests of the Muslims, such as preparing armies, guarding the borders and working to strengthen the state at the time of the second caliph, 'Umar ibn al-Khaṭṭâb (رضي الله عنه).

The shares allotted to the poor and needy and wayfarers remained as they had been at the time of the Prophet (ﷺ), and no change was made at the time of the second caliph (رضي الله عنه).[146]

These are some of the features of the financial institutions at the time of 'Umar, and how he developed them. He was very careful with public funds, as can be seen from his words: "I tell you about what I am keeping for myself from the wealth of Allah: a suit for winter, a suit for summer, a mount for Ḥajj and 'Umrah, and food for my family like any man of Quraysh who is not the richest or poorest among them. I am a Muslim man and I go through what you go through."[147] And he used to say: "O' Allah, You know that I eat

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[145] *Al-Kharâj* by Abu Yoosuf, p. 22.

[146] *Siyâsat al-Mâl fee al-Islâm*, Pp. 205, 206.

[147] *Târeekh al-Madeenah* by Ibn Shibhah, 2/698; *'Aṣr al-Khilâfah ar-Râshidah*, p. 218.

nothing but my own food and I wear nothing but my own clothes, and I take nothing but what is my right."[148] And he used to say: "I consider the wealth of Allah like the wealth of an orphan:

﴾... And whoever [amongst guardians] is rich, he should take no wages, but if he is poor, let him have for himself what is just and reasonable [according to his labour]...﴿ *(Qur'an 4: 6).*"

1.3.4. Matters pertaining to the economic development of the state

Issuance of Islamic currency

Currency made of precious metals such as gold and silver is regarded as an essential means of life in society, especially in dealings between nations and states. Our focus here — when Islam had acquired a state in which Muslims and others lived, and where neighbouring nations and states had systems and cultures which continued to interact with the Islamic state at the time of 'Umar and other Muslim caliphs and rulers — is the administrative method followed by 'Umar with regard to currency, whether within the Islamic state or in interactions with other states.[149] The historical information indicates that 'Umar ibn al-Khaṭṭâb kept the currency that had been in circulation before Islam and at the time of the Messenger of Allah (ﷺ) and Abu Bakr. These were Byzantine coins with Christian inscriptions, or Persian coins with Zoroastrian inscriptions. It seems that he approved of the official standard of coins that was known at the time of the Prophet (ﷺ) and Abu Bakr, and he added to them the word "*jâ'iz*" (valid) to distinguish them from counterfeits.[150] The one who minted coins outside the state and

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[148] *Aṭ-Ṭabaqât*, 3/313; *'Aṣr al-Khilâfah ar-Râshidah*, p. 318.

[149] *Al-Idârah al-Islâmiyah fee 'Ahd 'Umar ibn al-Khaṭṭâb*, p. 364.

[150] Ibid. p. 366.

approved of dealing with them, and decided on the weight of the Islamic *dirham* was 'Umar (ﷺ). Al-Mâwardi says: " 'Umar ibn al-Khaṭṭâb was the one who decided on the weight of the Islamic *dirham*."[151] Al-Maqreezi says: "The first one to mint coins in Islam was 'Umar ibn al-Khaṭṭâb in 18 A.H., imprinting over Persian inscriptions, adding the words "*al-Ḥamdu Lillâh* (praise be to Allah)" or "*Lâ ilâha illa-Allâh* (there is no god but Allah), and adding the name of the caliph 'Umar on part of it."[152] Thus 'Umar established a system during his rule for an essential means of living for the Muslims and others. He was followed by the Rightly-Guided Caliphs and others who developed this idea further as life and civilization progressed.[153]

Allocation of land

Abu Bakr continued to follow the Prophet's method of allocation of land to the people for the purpose of making use of it. He gave to az-Zubayr ibn al-'Awwâm some unused land between al-Jarf and Qanât[154] and he gave al-Khaḍramah (a village in al-Yamâmah) to Majâ'ah ibn Marârah al-Ḥanafi. He wanted to give to 'Uyaynah ibn Ḥasn al-Fazâri and al-Aqra' ibn Ḥâbis at-Tameemi some arid land — in which there was no grass and it was of no use — which they wanted to put to some use; but then he changed his mind, following the advice of 'Umar (ﷺ) who said that there was no need to reconcile their hearts towards Islam. 'Umar said to them: «"The Messenger of Allah (Blessings and peace be upon him) used to seek to reconcile your hearts, but at that time Islam was weak. Now Allah

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[151] *Al-Aḥkâm as-Sulṭâniyah*, p. 147.

[152] *Shudhoor al-'Uqood fee Dhikr an-Nuqood*, Pp. 31-33.

[153] *Al-Idârah al-'Askariyah fee 'Ahd 'Umar*, p. 367.

[154] *Aṭ-Ṭabaqât al-Kubra*, 3/104 - the repot is *ṣaḥeeḥ*; *'Aṣr al-Khilâfah ar-Râshidah*, p. 220.

has made Islam victorious, so go and work hard."»[155]

It is clear that 'Umar's objection was not to the allocation of land per se, rather it was to the people themselves; he did not think that their hearts needed to be reconciled to Islam. 'Umar gave a lot of land to people who would make good use of it, following the Prophet's policy. He declared: "O' people, whoever revives dead (i.e., unused) land, it is his."[156] This is supported by weak reports which confirm that 'Umar (ﷺ) took back land that he had allocated if it was not used properly. A weak report states that there was a three-year limit from the date of the allocation of the land. It is proven that 'Umar allocated unused land to Khawât ibn Jubayr[157] and he gave to az-Zubayr ibn al-'Awwâm all the land of al-'Aqeeq. He gave the land of Yanbu' to 'Ali ibn Abi Ṭâlib, where fresh water started flowing through it. 'Ali (ﷺ) gave it as a *waqf* for charity to the poor. There are other weak reports which say that 'Umar allocated land to a number of other *Ṣaḥâbah*.[158]

2. The Judicial System

When Islam spread and the state expanded at the time of 'Umar, and the Muslims came into contact with other nations, the new situation demanded the development of the judicial system. The caliph became very busy and the job of the governors in the various regions became more complex, and the number of fights and disputes increased. 'Umar decided to separate the departments of government in the provinces and to give the judges independent authority, so that

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155 Bukhari, *at-Târeekh aṣ-Ṣagheer*, 1/81; *'Aṣr al-Khilâfah ar-Râshidah*, p. 221.

156 *'Aṣr al-Khilâfah ar-Râshidah*, p. 221, the report is *ṣaḥeeḥ*.

157 Ibid.

158 Ibid, p. 222.

the governors would be free to run the affairs of their provinces. Thus the judicial system became independent of other departments, and 'Umar was the first one to give the judges their own independent department. He appointed judges in the Islamic regions, in Koofah, Baṣra, Syria and Egypt, and he gave the judges authority for which they were answerable directly to him, whether they were appointed by the caliph himself or by one of the governors on his behalf. This indicates that the Islamic leadership was represented in the person of 'Umar and that he was not incapable of setting out basic rules to organize the affairs of state and define the powers and authority of various government departments. Europe discovered this principle in theoretical terms in the eighteenth century, and considered it a new step in the organization of state affairs and protection of citizens' rights, but it was not put into practice until the beginning of the nineteenth century, i.e., after the French Revolution. But Islam affirmed this principle fourteen centuries before, and regarded it as fundamental to its system. This principle existed from the time of the Prophet (ﷺ), when he sent Mu'âdh to Yemen and asked him: "How will you judge between people, O' Mu'âdh?" Mu'âdh explained that he would judge according to the Book of Allah; if he did not find an answer there, he would judge according to the Sunnah of the Messenger of Allah (ﷺ). If he did not find an answer there, then he would try his best to work it out. And the Messenger (ﷺ) approved of that.[159]

'Umar set out to develop the judicial system and other things that were connected to it. It was during his era that the principle of separating the judiciary from other government departments was practised clearly in people's lives. The independence of the judiciary did not prevent 'Umar (ﷺ) from intervening in some cases. It may be that he allowed some of his governors to act as judges in addition

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[159] *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 2/53.

to their executive powers, and he corresponded with them concerning judicial matters. He corresponded with al-Mugheerah ibn Shu'bah concerning judicial matters when he was the governor of Baṣra, then of Koofah. He corresponded with Mu'âwiyah, his governor in Syria, concerning a judicial dispute. He corresponded with Abu Moosa al-Ash'ari concerning some cases. The judge was appointed for the whole province, either by the caliph or by the governor acting on the orders of the caliph. The seat of the judge was the capital of the province, and he was responsible for judicial matters in his province.[160]

The setting up of an independent judiciary was done mostly in the large provinces, such as Koofah and Egypt. In some cases governors acted as both governors and judges, if judicial matters did not distract them from their gubernatorial duties. He sent this description of the judge's role to them.

In some cases 'Umar passed judgement even though he had judges in Madeenah.[161] Among the judges whose role was limited by 'Umar during his caliphate to that of a judge was 'Abdullâh ibn Mas'ood, whom 'Umar appointed as the judge of Koofah. Qatâdah narrated from Abu Majlaz that 'Umar ibn al-Khaṭṭâb sent 'Ammâr ibn Yâsir to lead the people of Koofah in prayer, and he sent 'Abdullâh ibn Mas'ood to be in charge of the *bayt al-mâl* and the judiciary.[162]

— Salmân ibn Rabee'ah was appointed by 'Umar as the judge of Baṣrah, then of al-Qâdisiyah.
— Qays ibn Abi al-'Âṣ was the judge of Egypt.

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[160] *Al-Qaḍâ' fee al-Islâm*, by 'Aṭiyah Muṣṭafa, p. 77.

[161] *An-Nidhâm al-Qaḍâ'i fee al-'Ahd an-Nabawi wa al-Khilâfah ar-Râshidah*, by al-Qaṭṭân, p. 47.

[162] *Akhbâr al-Qaḍâ'* by Wakee', 2/188.

Those who were appointed as both governors and judges included the following:

— Nâfi' al-Khuzâ'i, the governor of Makkah. Ibn 'Abdul-Barr stated that 'Umar ibn al-Khaṭṭâb appointed him as governor of Makkah, although there were leaders of Quraysh among them. Then he dismissed him and appointed Khâlid ibn al-'Âṣ ibn Hishâm ibn al-Mugheerah al-Makhzoomi.[163]

— Ya'lâ ibn Umayyah, the governor of Ṣan'â' (Sana).

— Sufiyân ibn 'Abdullâh ath-Thaqafi, the governor of aṭ-Ṭâ'if.

— Al-Mugheerah ibn Shu'bah, the governor of Koofah.

— Mu'âwiyah ibn Abi Sufiyân, the governor of Syria.

— 'Uthmân ibn Abi al-'Âṣ ath-Thaqafi, the governor of Baḥrain and Oman.

— Abu Moosa al-Ash'ari, the governor of Baṣra.

— 'Umayr ibn Sa'd, the governor of Homs.

Among these were some whom 'Umar kept as judges as well as appointing them as governors, as he did with Mu'âwiyah, and some from whom he took away the role of judge and limited them to their role as governor, as he did with al-Mugheerah and Abu Moosa al-Ash'ari. Among the judges whom 'Umar appointed in Madeenah were 'Ali ibn Abi Ṭâlib and Zayd ibn Thâbit. It was narrated from Nâfi' that 'Umar appointed Zayd ibn Thâbit in charge of the judiciary and allocated a stipend for him.[164]

— As-Sâ'ib ibn Abi Yazeed.[165]

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[163] *An-Nidhâm al-Qaḍâ'i fee al-'Ahd an-Nabawi*, p. 49.

[164] *Akhbâr al-Qaḍâ'* by Wakee', 1/108.

[165] *Waqâ'i' Nadwah an-Nadhm al-Islâmiyah fee Abu Dhabi*, 1/375.

2.1. The most important letters from 'Umar to the judges

'Umar set out some valuable legislation for the judiciary system. Many scholars of Islamic fiqh have sought to explain and comment on this legislation. We find 'Umar's legislation on the judiciary in his letter to Abu Moosa al-Ash'ari, in which he said:

"In the name of Allah, the Most Gracious, the Most Merciful.

From the slave of Allah the son of al-Khaṭṭâb, *Ameer al-Mu'mineen*, to 'Abdullâh ibn Qays[166], peace be upon you.

Judging (the judicial system) is a confirmed obligation and a way to be followed. Try to understand when cases are presented to you, for there is no use in a person presenting his case if it is not understood. Treat people equally when you address them so that no noble man will hope that you will side with him unfairly and no weak man will despair of your justice. The burden of proof rests with the plaintiff and the oath is required of one who denies it. It is permissible to make a deal between Muslims, except a deal that permits something that is forbidden or forbids something that is permitted. If you passed a judgement yesterday then examined it further in your mind and are guided to a different conclusion, then that should not prevent you from returning to the truth, for truth is eternal, and returning to the truth is better than persisting in falsehood. Examine carefully each issue which you are unsure about, where there is no text in the Qur'an and Sunnah, and try to find a similar case; draw analogies and see which is more likely to be pleasing to Allah and closest to the truth. Whoever claims that someone owes him some dues, set a time limit for him to produce his evidence. If he produces evidence, then restore his rights to him; otherwise ask him to drop his claim. That is better

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166 'Abdullâh ibn Qays is Abu Moosa al-Ash'ari. [Author]

so as to eliminate any doubt. The Muslims are basically of good character, except one who has been lashed as a *ḥadd* punishment or who is known for bearing false witness. Allah is in charge of what is hidden in people's hearts. Judgement must be based on evidence and oaths. Beware of becoming impatient, because judging in accordance with truth brings a great reward from Allah and stores up a great deal of reward (in the Hereafter). Whoever has a good intention and checks himself, Allah will be sufficient for him (and he need not worry about people), but whoever shows an attitude to people which Allah knows is not his true attitude, Allah will expose him. Think of the reward of Allah in this world and in the Hereafter. And peace (be upon you)."[167]

This letter sums up the etiquette of the judge and the principles according to which judgement should be passed. The scholars have been explaining it and commenting on it for many centuries, and it is still a source of amazement and pride for everyone who reads it. Even if nothing else had been reported from 'Umar, he would be counted as one of the greatest thinkers and legislators on the basis of this letter. If it had been written by a head of state nowadays when the rules and regulations on running courts are so widespread, and discussions on such matters are something that children read about in school, it would still be something great and important. So how about if we remember that 'Umar wrote it fourteen centuries ago, and he did not quote it from a book or learn it from someone else. Rather it came from his own mind, and is just one example of the fruit of the faith which Muhammad (ﷺ) planted in his heart, when he came to him in Dâr al-Arqam and said, "I bear witness that there is no god but Allah and that Muhammad is the Messenger of Allah."[168]

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[167] *I'lâm al-Muwaqqi'een* by Ibn al-Qayyim, 1/85.
[168] *Akhbâr 'Umar*, p. 174.

Another of the important letters that 'Umar wrote concerning this matter was his letter to Abu 'Ubaydah in which he said:

"I have written to you a letter in which I have not spared myself or you any goodness. Adhere to these five characteristics and your religious commitment will be safe and you will succeed. When two disputants come to you, you must look for clear proof and a definitive oath. Be gentle with the weak one so that he will have the courage to speak. Take care of the stranger, for if the investigation into his case takes too long, he may give up and go back to his family. Strive to bring about reconciliation, unless it becomes clear to you who is in the right and who is in the wrong."[169]

'Umar wrote to Mu'âwiyah ibn Abi Sufiyân concerning judicial matters:

"I have written to you a letter in which I have not spared myself or you any goodness. Adhere to the five characteristics and your religious commitment will be safe and you will succeed. When two disputants come to you, you must look for clear proof and a definitive oath. Be gentle with the weak one so that he will have the courage to speak. Take care of the stranger, for if the investigation into his case takes too long, he may give up and go back to his family. The one who neglected his right is the one who did not take care of him. Treat them equally and give them equal attention. Strive to bring about a reconciliation, unless it becomes clear to you who is in the right and who is in the wrong."[170]

He wrote to the judge Shurayḥ concerning ijtihad and said: "If a case is referred to you, judge concerning it according to what is in the Book of Allah. If it is not mentioned in the Book of Allah, then judge concerning it according to the Sunnah of the Messenger of

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[169] *Majmoo'ah al-Wathâ'iq as-Siyâsiyah*, p. 438.

[170] *Al-Bayân wa at-Tabyeen*, 2/150.

Allah. If there comes to you a case which is not mentioned in the Book of Allah or the Sunnah of the Messenger of Allah and is not discussed by anyone, then choose whichever of the two options you want." According to another report he said: "If you want to work it out yourself, then go ahead, and if you do not want to, then do not, and I think that not doing so is better for you."[171]

By studying the letters of 'Umar and the story of his caliphate, the researcher can learn about the salaries that were paid to judges, the kinds of judges who were appointed, their duties and obligations, the sources of their rulings, the fact that the caliph himself submitted to the judges and other matters that have to do with the judiciary.

2.2. Appointment of judges, their salaries and their judicial specialities

2.2.1. Appointment of judges

Judges were appointed directly by the caliph, as when 'Umar appointed Shurayḥ as the judge of Koofah, or they were appointed by the governor acting on behalf of the caliph, as when 'Amr ibn al-'Âṣ, the governor of Egypt, appointed 'Uthmân ibn Qays ibn Abi al-'Âṣ as a judge in Egypt. The right to appoint judges belongs to the caliph; if he wishes he may appoint them himself, or if he wishes he may delegate his governor to do that. The appointment of judges does not prevent the caliph from examining some cases and passing judgement himself, because judicial matters come under his authority and he is the one who delegates the role of judge to others. But he is primarily entitled to pass judgement, and a judge only acquires that

[171] *Jâmi' Bayna al-'Ilm wa Faḍlihi*, 2/70.

role when he is appointed by the caliph himself or by his governor.[172] It is permissible for the caliph to dismiss a judge for any reason, such as if the judge is not longer qualified and fit to pass judgements, or if it is proven that he has done something that does not befit the position of a judge. If there is no reason to dismiss him then it is better not to do so, because a judge who has been appointed to serve the interests of the Muslims should remain so long as their interests are being served.[173] 'Umar (ﷺ) dismissed some judges and appointed others, as when he dismissed Abu Maryam al-Ḥanafi[174], in whom he found some weakness.

2.2.2. Judges' salary

'Umar used to advise his governors to choose those who were fit to be judges and to give them sufficient salaries.[175] He wrote to Abu 'Ubaydah and Mu'âdh saying: "Choose righteous men to appoint as judges and give them salaries."[176]

Dr. al-'Umari mentions the salaries of some of the judges at the time of 'Umar, which were as follows: Salmân ibn Rabee'ah al-Bâhili (Koofah), 500 *dirhams* each month; Shurayḥ al-Qâḍi (Koofah), 100 *dirhams* each month; 'Abdullâh ibn Mas'ood al-Hudhali (Koofah), 100 *dirhams* each month and one quarter of a sheep each day; 'Uthmân ibn Qays ibn Abi al-'Âṣ (Egypt), 200 *dinârs*; Qays ibn Abi al-'Âṣ as-Suhami (Egypt), 200 *dinârs*.[177]

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172 *An-Nidhâm al-Qaḍâ'i, Mannâ' al-Qaṭṭân*, Pp. 72, 73.
173 *Mughni al-Muḥtâj*, 4/382; *an-Nidhâm al-Qaḍâ'i*, p. 77.
174 *An-Nidhâm al-Qaḍâ'i*, p. 77.
175 *'Aṣr al-Khilâfah ar-Râshidah*, p. 143.
176 *An-Nidhâm al-Qaḍâ'i*, p. 76.
177 *'Aṣr al-Khilâfah ar-Râshidah*, p. 159.

2.2.3. Judicial specialities

During the time of the Rightly-Guided Caliphs, judges would pass judgments on all kinds of cases, no matter what type they were, such as financial disputes, family matters, *ḥudood* punishments and *qiṣâṣ*, and any other kind of disputes. There is nothing to indicate that there was anything like what is known nowadays as judicial specialities, apart from the reports that as-Sâ'ib ibn Yazeed ibn Ukht Nimr was appointed and was told by 'Umar: "Go and look after the cases that have to do with minor financial disputes."[178]

Judges dealt with cases having to do with civil rights and personal matters. As for *ḥudood* punishments and *qiṣâṣ*, these were referred to the caliph and regional governors, who had to approve of the ruling. Approval of carrying out the death penalty was restricted to the caliph alone, but governors had the right to approve of cases of *qiṣâṣ* that did not involve the death penalty.

There was no specific place set aside for judicial procedures, rather the judge passed judgements in homes and mosques, but it was more common for such procedures to take place in the mosque.[179] Cases were not recorded because they were so few and were easily remembered. It was possible for a judge to detain the accused as a rebuke and so as to force him to restore people's rights. This was done by 'Umar, 'Uthmân and 'Ali (may Allah be pleased with them). The state set up prisons in the city centres. *Qaṣâṣ* punishments were carried out outside the mosques.[180]

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[178] *An-Nidhâm al-Qaḍâ'i*, p. 74; *'Aṣr al-Khilâfah ar-Râshidah*, p. 144.

[179] *'Aṣr al-Khilâfah ar-Râshidah*, p. 145.

[180] Ibid.

2.3. Qualities of the judge and what was required of him

2.3.1. Qualities of the judge

From the life of 'Umar the scholars have derived the most important qualities of the judge who is to be appointed.

- Knowledge of the rulings of shari'ah: Because he is going to apply them in the cases he deals with, and it is impossible for him to apply them if he does not know them.
- Piety (*taqwa*): 'Umar wrote to Mu'âdh ibn Jabal and Abu 'Unaydah ibn al-Jarrâḥ telling them, "Look for some righteous men among you and appoint them as judges."[181]
- Lack of interest in what people possess: 'Umar (ﷺ) said, "No one can establish the commands of Allah except one who is not trying to appease people or show off, and who has no materialistic ambitions."[182]
- Intelligence: It is essential that a judge should be smart and intelligent, one who notices subtle matters. It was narrated from ash-Sha'bi that Ka'b ibn Siwâr was sitting with 'Umar when a woman came to him and said, "O' *Ameer al-Mu'mineen*, I have never seen a man who is better than my husband. By Allah, he spends the night in prayer and he spends his days fasting, and does not break his fast on a hot day." He prayed for forgiveness for her and praised her and said, "You are saying something good about your husband." The woman felt shy, so she left. Ka'b said, "O' *Ameer al-*

181 *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 723; *al-Mughni*, 9/37.

182 *Nidhâm al-Ḥukm fee ash-Sharee'ah wa at-Târeekh al-Islâmi*, 2/102.

Mu'mineen, why didn't you help her to solve her problem with her husband?" 'Umar asked, "What was she complaining about?" He said, "She was complaining about a serious problem with her husband." He asked, "Is that so?" He said, "Yes." He said, "Bring the woman back." He said (to her), "There is nothing wrong with speaking the truth. This man claims that you were complaining about your husband and that he avoids your bed." She said, "Yes. I am a young woman and I want what any woman wants." He sent for her husband, who came to him. Then 'Umar said to Ka'b, "Pass judgement between them." He (Ka'b) said, "The caliph is more entitled to pass judgement between them." He said, "I insist that you pass judgement between them, for you understood something about their situation that I did not understand." He said, "I think that if there were three wives and she was the fourth, she would have one night in every four. So I rule that he should keep three days and nights for himself during which he may pray, and she should have one day and night." 'Umar said, "By Allah, your suggestion is more amazing than your understanding her hint. Go, for you are the judge of Baṣra."[183]

❖ Strictness without harshness; kindness without weakness: 'Umar said, "No one should be appointed to this role but a man who has four qualities: kindness without weakness, strictness without harshness, moderation without stinginess and easiness without extravagance."[184]

❖ Strength of character: 'Umar said, "I am going to dismiss Abu Maryam and appoint a man who when the evildoer sees him he will be scared." So he dismissed him from the post of judge of

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[183] *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 723.

[184] Ibid, p. 724.

Başrah and appointed Ka'b ibn Soor instead.[185]

- He should be wealthy and of a good lineage: 'Umar wrote to some of his governors saying, "No one should be appointed as a judge except one who is well-off and of good lineage. The one who is well-off will have no desire for people's wealth, and the one who is of good lineage will not be scared of people."[186]

2.3.2. What is required of the judge

There are some matters which 'Umar stated the judge must pay attention to in order to establish justice. These include:

- Sincerity towards Allah in one's actions: 'Umar wrote to Abu Moosa al-Ash'ari saying, "Passing correct judgement brings reward from Allah and will store up reward for you (in the Hereafter). Whoever has a sincere intention to establish the truth, even if it is against himself, Allah will suffice him and protect him from the people. Whoever puts on a pretence that is not in his heart, Allah will shame him. Allah, may He be blessed and exalted, does not accept any deed from people except that which is sincere. Think of the reward of Allah in this world and in the Hereafter."[187]

- Precise understanding of the case: He should study it carefully before passing his ruling. It is not permissible to pass the ruling before the truth of the matter is clear. 'Umar wrote to Abu Moosa al-Ash'ari saying, "Try to understand the case when it is referred to you." On one occasion Abu Moosa said, "A judge should not pass judgement until the truth is as clear to

[185] Op. cit.

[186] Ibid.

[187] *I'lâm al-Muwaqqi'een* by Ibn al-Qayyim, 1/85.

him as night and day." News of that reached 'Umar ibn al-Khaṭṭâb and he said, "Abu Moosa has spoken the truth."[188]

- Ruling according to Islamic shari'ah whether the disputing parties are Muslim or not: It was narrated from Zayd ibn Aslam that a Jewish woman came to 'Umar ibn al-Khaṭṭâb and said, "My son has died, and the Jews are saying that I have no right to his estate." 'Umar called them and said, "Why don't you give her her rights?" They said, "We cannot find anything in our Book that gives her any rights." 'Umar said, "Is that in the Torah?" They said, "No, in the Mishnah." He asked, "What is the Mishnah?" They said, "A book that was written by scholars and wise men." 'Umar cursed them and said, "Go and give her her rights!"[189]

- Consulting others about any matter of which he is not sure: 'Umar wrote to one of his judges saying, "Consult those who fear Allah with regard to your religion."[190] He wrote to Shurayḥ saying, "If you want to consult with me (then do so), for I think that your consulting with me is better for you."[191] 'Umar used to consult others so much that ash-Sha'bi said, "Whoever would like to have the most reliable judgment, let him adopt the judgement of 'Umar, for he used to consult others."[192]

- Treating disputants equally: 'Umar wrote to Abu Moosa al-Ash'ari saying, "Treat people equally when you address them so that no noble man will hope that you will side with him unfairly and no weak man will despair of your justice." He also wrote, "Treat people as equal with regard to the truth, both

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[188] *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 725.

[189] Ibid.

[190] Ibid; *Sunan al-Bayhaqi*, 10/112.

[191] Ibid; *Sunan al-Bayhaqi*, 10/110.

[192] Ibid; *Sunan al-Bayhaqi*, 10/109.

the one whom you know and the one whom you do not know." When Ubayy ibn Ka'b made a claim against 'Umar with regard to a garden which 'Umar did not know about, they appointed Zayd ibn Thâbit to judge between them. They went to him in his house and when they entered, 'Umar said, "We have come to you so that you may judge between us." Zayd moved to let him sit in the best seat — and according to another report, Zayd brought out a cushion and gave it to him, saying, "Here you are, O' *Ameer al-Mu'mineen.*" 'Umar said, "You have been unfair in your judgement at the outset, O' Zayd. Rather let me sit with my opponent," and they both sat in front of him.[193]

- Encouraging the weak: So that he will not be afraid and will dare to speak up. 'Umar wrote to Mu'âwiyah saying, "Be kind to the one who is weak so that he will be encouraged to speak."[194]

- Dealing quickly with the case of a stranger, or else supporting him until the case is over: 'Umar write to Abu 'Ubaydah saying, "Pay extra attention to the stranger, for if he has to stay too long — and be away from his family because of this case — he will forego his rights and return to his family."[195]

- Patience: 'Umar wrote to Abu Moosa saying, "Beware of boredom, anger, anxiety and feeling annoyed with people when passing judgement. If the judge notices any of these things it is not permissible for him to pass judgement until that has gone away, lest his psychological state affect the judgement he passes."

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[193] *Ṣaḥeeḥ at-Tawtheeq fee Seerat wa Ḥayât al-Fârooq*, p. 259.

[194] *Majmoo'at al-Wathâ'iq as-Siyâsiyah*, p. 4380.

[195] Ibid.

'Umar wrote to Abu Moosa al-Ash'ari saying: "Do not pass judgement when you are angry."[196] And it was narrated that Shurayḥ said: " 'Umar stipulated when he appointed me as a judge that I should not pass judgement when I was angry."[197] Things that may lead to impatience and sometimes make a judge hasten inappropriately to pass judgement include hunger, thirst and so on. Hence 'Umar said: "The judge should not pass judgement until he has had enough to eat and drink."[198]

- Avoiding everything that may influence the judge: Such as bribes, or traders being easygoing with him, or his going to the marketplace, or accepting gifts and bribes. 'Umar wrote to Abu Moosa al-Ash'ari, "Do not buy and sell, make investments or accept bribes with regard to rulings." Shurayḥ said, 'Umar stipulated when he appointed me as a judge that I should not buy and sell or accept bribes. 'Umar said, "Beware of bribes and of ruling according to your whims and desires."[199]

- Deciding on the basis of apparent evidence without probing into intentions: 'Umar addressed the people and said, «"We knew you when the Messenger of Allah (ﷺ) was amongst us, and the Revelation would come down and tell us about you. Now we know you from what you say, so whoever appears to us to be good, we will assume that he is good and treat him well. Whoever appears to us to be bad, we will assume that he is bad and hate him accordingly. And what is in your hearts is between you and Allah."»[200]

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[196] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 726.
[197] Ibid and *al-Mughni*, 9/79.
[198] Ibid and *Sunan al-Bayhaqi*, 10/106.
[199] Ibid, p. 727.
[200] Bukhari, hadith no. 2641; *Sunan al-Bayhaqi*, 10/125, 150.

- Keenness to reconcile between disputing parties: 'Umar said, "Turn disputants away in the hope that they will reconcile, for settling the matter in court generates grudges between people. If they reach a settlement that is in accordance with the laws of Allah, let the judge approve it, and if their agreement is not in accordance with the rulings of shari'ah, let the judge cancel it." 'Umar said, "It is permissible to make a deal between Muslims, except a deal that permits something that is forbidden or forbids something that is permitted."[201]

- The judge should be keen to bring about reconciliation especially between disputants in cases where it is not clear who is in the right. 'Umar wrote to Mu'âwiyah saying: "Strive to work out agreements among people when it is not clear who is in the right, or if they are related, for settling issues in court generates grudges."[202]

- Coming back to the truth: If a judge passes a ruling concerning some case, then he changes his view on that issue afterwards after studying it further, he cannot go back and change his ruling. It is also not permissible for a judge after him to overrule the judgement he passed. It was narrated that Sâlim ibn Abi al-Ja'd said, "If 'Ali were to have undone a judgement that had been passed by 'Umar, he would have undone his judgement concerning the people of Najrân. 'Ali had written down the treaty between the people of Najrân and the Prophet (ﷺ), then their numbers increased at the time of 'Umar until he feared for the people concerning them. Then a disagreement arose between them and they came to 'Umar and asked him for

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201 *Târeekh al-Madeenah*, 2/769; *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 727.

202 *I'lâm al-Muwaqqi'een*, 1/108.

> compensation, so he compensated them. Then they regretted it and something happened among them, so they came to him and asked him to let them off, but he refused to do so. When 'Ali became caliph, they came to him and said, 'O' *Ameer al-Mu'mineen*, you interceded for us and wrote a treaty with your right hand.' 'Ali said, 'Woe to you! 'Umar was right in what he did.'[203] 'Umar refused to undo the first judgement that he had passed concerning them, and after 'Umar had died, 'Ali refused to undo the judgement that 'Umar had passed concerning them."[204]

'Umar changed his opinion concerning many cases, such as the ruling concerning a grandfather when there are brothers (of the deceased, in cases of inheritance), or full brothers sharing one-third of the inheritance with uterine brothers when there is nothing of the estate left for the full brothers. But there is no report that he went back and changed his first judgement, rather he applied his new ijtihad in subsequent cases, and his old ruling did not prevent him from following the truth when it became apparent to him. 'Umar wrote to Abu Moosa al-Ash'ari saying: "If you pass a judgement today, then you change your opinion and are guided to the correct view, that should not prevent you from adopting what is true, for truth is eternal and cannot be invalidated by anything. Returning to the truth is better than persisting in falsehood."[205]

On this basis, 'Umar ibn al-Khaṭṭâb issued various rulings concerning the grandfather (in cases of inheritance). He ruled that if a wife dies and leaves behind a husband, mother, two half-brothers through her father and two half-brothers through her mother, then the

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[203] *Sunan al-Bayhaqi*, 10/120; *Mawsoo'ah Fiqh 'Umar*, p. 728.

[204] *Mawsoo'ah Fiqh 'Umar ibn al-Khaṭṭâb*, p. 728.

[205] *I'lâm al-Muwaqqi'een*, 1/85.

(full—) brothers through the father and mother and the half brothers through the mother share one-third of the estate. A man said to him: "You did not rule that they share the estate in such and such a year." 'Umar said: "That was the judgement that we passed then, and this is the judgement that we pass now."[206]

- The accused is innocent until proven guilty: It was narrated that 'Abdullâh ibn 'Âmir said, "I set out with a caravan and when we came to Dhu al-Marwah, a cloak of mine was stolen, and one of those people was with us. My companions said to him, "O' So and so, give him back his cloak." He said, "I did not take it." I went to 'Umar ibn al-Khaṭṭâb and told him about it. He asked, "Who was there?" I told him who they were and I named the one who I thought did it and I said, "I wanted to bring him in chains." 'Umar said, "How could you bring him in chains without any proof?"[207]

- If there is a text there is no room for ijtihad: 'Umar said, "Try to understand whatever cases are referred to you where there is no evidence from the Qur'an or Sunnah, then try to make an analogy between the case that is before you and similar cases that are dealt with in Qur'an and Sunnah."[208]

These are the most important matters to which the judge must adhere.

2.3.3. Judges themselves are subject to the rulings on judges

'Umar was the first one to submit to judges even when he was at the peak of his caliphate. He would express clear admiration if the

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[206] *I'lâm al-Muwaqqi'een*, 1/111; *Mawsoo'ah Fiqh 'Umar*, p. 729.

[207] *Mawsoo'ah Fiqh 'Umar*, p. 729; *al-Muḥalla*, 11/132.

[208] *I'lâm al-Muwaqqi'een*, 1/85; *Majallah al-Buḥooth al-'Ilmiyah*, 7/287.

judge got it right and would sincerely praise the judge, even if the ruling went against him.[209] There follow some examples of that.

'Umar wanted to buy a horse from a Bedouin. He rode it to try it out, and the horse became lame. 'Umar said: "Take your horse." The man said, "No." 'Umar said, "Then appoint a judge between me and you." The man said, "Shurayḥ." So they referred to him for judgement. When he heard what they had to say, he said, "O' *Ameer al-Mu'mineen*, take what you bought, or give back what you took as you took it." 'Umar said, "This is the way to pass judgement," and he sent him as a judge to Koofah.[210]

2.4. Sources of judicial rulings

During the era of the Rightly-Guided Caliphs, judges relied on the same sources as the Messenger of Allah (ﷺ) and his judges had relied, namely the Qur'an and Sunnah and ijtihad, but some new developments appeared during their era:

The process of ijtihad and acting upon it was developed further, which resulted in new procedures, such as consultation, *shoora*, *ijmâ'* (consensus), *ra'y* (opinion) and *qiyâs* (analogy). There also appeared new sources which did not exist at the time of the Prophet (ﷺ), namely legal precedents which had been issued by the *Ṣaḥâbah* during the reigns of different caliphs. So the sources of judicial rulings at the time of the Rightly-Guided Caliphs were: the Qur'an, the Sunnah, ijtihad, *ijmâ'* (consensus), *qiyâs* (analogy), and legal precedents. All of that was supported by *shoora* and consultation concerning issues, cases and rulings. There are many texts and

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[209] *Shaheed al-Miḥrâb*, p. 211.

[210] *'Aṣr al-Khilâfah ar-Râshidah*, p. 147; *Shaheed al-Miḥrâb*, p. 211.

reports which support these sources as mentioned above, some of which we will quote below.[211]

1. Ash-Sha'bi narrated that Shurayḥ said: " 'Umar said to me, 'Judge in accordance with what you know of the Book of Allah; if you do not know of anything in the Book of Allah, then judge according to what you know of the judgements of the Messenger of Allah (ﷺ). If you do not know of anything in the judgements of the Messenger of Allah (ﷺ), then judge according to what you know from the guided Imams. If you do not know of the judgement of the guided Imams, then try to work it out yourself, and consult knowledgeable and righteous people.' "[212]

2. It was narrated from Ibn Shihâb az-Zuhri that 'Umar ibn al-Khaṭṭâb (رضي الله عنه) said, when he was on the *minbar*: "O' people, in the case of the Messenger of Allah (ﷺ), *ra'y* (personal opinion) was always correct, because Allah guided him. But in our case it is speculation and conjecture."[213] And it was narrated that he said: "This is 'Umar's opinion; if it is right, it is from Allah and if it is wrong, it is from 'Umar."[214]

3. Ibn al-Qayyim said: "When 'Umar was appointed as caliph, he said, 'I feel too shy before Allah to reject anything that Abu Bakr said.'[215] 'Umar also confirmed this in another letter to Shurayḥ in which he said, 'Judge according to what is in the Book of Allah. If there is nothing in the Book of Allah, then according to the Sunnah of the Messenger of Allah (ﷺ). If there is nothing in the Sunnah of the Messenger of Allah (ﷺ), then judge according to the judgements

[211] *Târeekh al-Qaḍâ' fee al-Islâm*, by Dr. Muhammad az-Zuḥayli, p. 118.

[212] *I'lâm al-Muwaqqi'een*, 1/224; *Târeekh al-Qaḍâ' fee al-Islâm*, p. 119.

[213] *Târeekh al-Qaḍâ' fee al-Islâm*, p. 120; *I'lâm al-Muwaqqi'een*, 1/57.

[214] *I'lâm al-Muwaqqi'een*, 1/58; *Târeekh al-Qaḍâ' fee al-Islâm*, p. 120.

[215] *I'lâm al-Muwaqqi'een*, 1/224.

passed by the righteous.'"[216]

4. *Ijmâ'* (consensus): If the judge could not find any text in the Qur'an or Sunnah, he would refer to the scholars and consult the *Ṣaḥâbah* and *fuqaha'*. He would discuss the matter with them and they would research it and try to work it out. If their efforts reached a single conclusion, then this is consensus (*ijmâ'*), which is the agreement of the *mujtahids* of a single generation of the ummah of Muhammad (ﷺ) upon a *shar'i* matter. This is the third source of Islamic legislation according to scholarly consensus. It appeared for the first time during the era of the Rightly-Guided Caliphs. Many texts have been narrated concerning it, and there are lengthy discussions of it in the books of fiqh, *uṣool al-fiqh* and the history of legislation. But the cases in which there was consensus are few, and the possibility of consensus existed only in Madeenah, which was the capital of the caliphate and the meeting-place of the *Ṣaḥâbah*, scholars and *fuqaha'*. It was very rare in other cities.[217]

An example of that is the report that Ibn 'Abbâs asked 'Uthmân (may Allah be pleased with them both): "Two brothers (*akhawân*) in the dialect of your people does not mean brothers (*ikhwah*), so why is their mother's share (of inheritance) reduced from one-third to one-sixth on the basis of the verse,

﴾... If the deceased left brothers or [sisters], the mother has a sixth...﴿ *(Qur'an 4: 11)*?"

He ('Uthmân) said, "I cannot undo a judgement that was passed before me and has become widespread and people have inherited in accordance with it." What he meant is that the consensus was reached before Ibn 'Abbâs raised this objection, so his objection did not affect that consensus.

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216 *Târeekh al-Qaḍâ' fee al-Islâm*, p. 120.
217 Ibid, p. 122.

Consensus should be based on three main principles: consultation, ijtihad and agreement. If any of these is missing, then the judge should move on to the next source.

5. Legal precedent: i.e., judgements passed by previous caliphs, righteous men and senior *Ṣaḥâbah* (may Allah be pleased with them). This is what 'Umar described in clear terms with regard to the prior judgements of Abu Bakr, and it is what he enjoined upon his judges and governors, as stated above.[218] This is also what Ibn al-Qayyim stated clearly under the title, "The opinion of the *Ṣaḥâbah* is better than our own opinion." And he said: "Those whose opinions have such a high status should be better for us than our own opinion. How could it be otherwise? Those are opinions which came from hearts that were filled with light, faith, knowledge and understanding of Allah and His Messenger, and with sincerity towards the ummah. They were following in the footsteps of their Prophet with no intermediary between them and him. They transmitted knowledge and faith fresh, direct and unsullied from the Prophetic source, with no confusion or dispute. To think of the opinions of others as being as good as their opinions is a serious mistake.[219]

6. Analogy (*qiyâs*): But legal precedents are also very rare. If a judge cannot find a text or consensus, or any legal precedents, then he must rely on ijtihad, as it says in the hadith of Mu'âdh. Analogy is what comes first when striving to work out (ijtihad) an issue concerning which there is no text. This is the fourth source of legislation, fiqh and rulings. This is what is mentioned in the letter of 'Umar to Abu Moosa al-Asha'ri, in which he said: "Then look for similar cases and make an analogy, and see what conclusion is most likely to be acceptable to Allah and is most likely to be correct."[220]

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[218] Op. cit., Pp. 122, 123.

[219] *I'lâm al-Muwaqqi'een*, 1/87; *Târeekh al-Qaḍâ' fee al-Islâm*, p. 123.

[220] *Târeekh al-Qaḍâ' fee al-Islâm*, p. 124.

7. Opinion (*ra'y*): If there is no basic text to which an analogy may be made, then the judge must work out his own opinion as to what is closest to the truth, justice and the basic principles and aims of shari'ah. This is what is repeated in the reports quoted above, in the letters of 'Umar to Shurayḥ and others.[221]

Consultation and *shoora* were among the most important means which were used by judges, as is narrated in the reports, books and letters mentioned above. This is what 'Umar confirmed in word and deed, because he loved *shoora* so much even though he had a great knowledge of Islam, and he rarely went ahead with anything until after he had consulted the senior *Ṣaḥâbah* and *fuqaha'*.[222]

It was narrated that ash-Sha'bi said: "Cases would be referred to 'Umar and he would sometimes ponder them for a month, consulting his companions."[223]

2.5. Evidence on which the judge may rely

The evidence on which the judge may rely in passing rulings is:

1. Confession, and writing is regarded as a kind of confession.

2. Testimony: The judge is required to verify that witnesses are qualified to testify. If he does not know them himself, then he should ask them to bring someone who does know them. A man gave testimony to 'Umar and he said to him: "I do not know you, but it does not matter that I do not know you. Bring me someone who does know you." A man among the people said, "I know him." 'Umar asked, "What do you know about him?" He said, "He is of good

221 *I'lâm al-Muwaqqi'een,* 1/70 ff.

222 *Târeekh al-Qaḍâ'*, p. 125.

223 Ibid.

character and is virtuous." He asked, "Is he your closest neighbour who you know by night and by day, and you know when he comes in and goes out?" He said, "No." He asked, "Did he have any financial dealings with you which is the way to know whether he is God-fearing or not?" He said, "No." He then asked, "Has he been your companion on a journey, which is the way to know whether he is of noble character and attitude?" He said, "No." He ('Umar) said, "Then you do not know him."[224]

Testimony takes precedence over an oath whether that the testimony is established before his opponent swears an oath or afterwards. If the plaintiff asks the defendant to swear an oath and the judge makes him do so, then the plaintiff brings proof after that concerning his case, his evidence is to be accepted and the oath is to be rejected. 'Umar said: "A false oath is more deserving of being rejected than clear proof."[225]

The one who is to be asked to give testimony is the plaintiff. 'Umar wrote to Abu Moosa saying: "Proof is to be provided by the plaintiff, and the oath is to be sworn by the one who denies."[226] If the plaintiff has only one witness, his testimony should be accepted and the plaintiff should also swear an oath. 'Umar used to pass judgement in financial cases on the basis of an oath and a single witness.[227]

3. Oaths: The judge should not resort to asking the defendant to swear an oath except when the plaintiff is unable to establish proof and asks the defendant to swear an oath. If he swears an oath, then the judge must rule according to that oath. 'Umar and Ubayy ibn Ka'b referred to Zayd ibn Thâbit for judgement concerning a garden which

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[224] *Sunan al-Bayhaqi*, 10/125; *Mawsoo'at Fiqh 'Umar*, p. 731.

[225] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 731.

[226] *Sunan al-Bayhaqi*, 10/153, 150.

[227] *Al-Mughni*, 9/151; *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 732.

Ubayy claimed was his. 'Umar had to swear an oath, and Zayd said: "Let the *Ameer al-Mu'mineen* off." 'Umar said, "Why should he let the *Ameer al-Mu'mineen* off? If something belonged to me I would be entitled to it by virtue of my oath, otherwise I would not lay claim to it. By the One besides Whom there is no other god, this garden is mine and Ubayy has no right to it." After the case was settled, he gave the garden to Ubayy as a gift. It was said to him, "Why didn't you give it to him before the oath?" He said, "I feared that if I did not swear the oath, the people would not swear oaths for their rights after me, and that would become the norm."[228]

It is not permissible for one who has to swear an oath to refuse to do so out of piety. We have seen above how 'Umar swore an oath, then when he won his case he gave up his right.

In some cases 'Umar made the oaths carry greater weight by making disputing parties swear oaths in a place which was deeply venerated and respected by them, so that they would not dare to tell lies in such a place. He made a group from Murrah swear an oath in the Ḥijr, and he made another group swear an oath between the *Rukn* and the *Maqâm*.[229]

4. Detecting family likenesses in cases determining lineage: This is one of the kinds of strong circumstantial evidence that may form the basis of a ruling. This is indicated by the Sunnah of the Prophet (ﷺ) and the actions of the Rightly-Guided Caliphs and the *Ṣaḥâbah*. Use of such evidence in rulings was approved of by 'Umar ibn al-Khaṭṭâb, Ibn 'Abbâs and others.[230]

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[228] *Târeekh al-Madeenah al-Munawwarah*, 2/755; *Mawsoo'at Fiqh 'Umar*, p. 732.

[229] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 733.

[230] *An-Nidhâm al-Qaḍâ'i* by Mannâ' al-Qaṭṭân, Pp. 81, 82.

5. Circumstantial evidence: Circumstantial evidence covers a broad category which judges use their intelligence to derive. Examples of strong circumstantial evidence include a woman's pregnancy when she has never been married; this is regarded as evidence of *zinâ*. Another example is giving birth before the usual length of pregnancy is over. Yet another example is the presence of two dead persons, one of top of the other. This situation provides strong circumstantial evidence that the one who died first is the one on the bottom, and the one who died last is the one on top. Hence during the plague of 'Amwâs, when the hand or foot of one dead person was on top of another, 'Umar ruled that the one on top was the heir of the one on the bottom, and that the one on the bottom could not be the heir of the one on top.

An example of circumstantial evidence in the case of drinking alcohol is the presence of wine in a person's vomit. 'Umar carried out the *ḥadd* punishment for drinking on a person in whose vomit wine was found.[231]

6. Prior knowledge on the part of the judge: Prior knowledge of the judge with regard to *ḥadd* punishments is not regarded as evidence which entitles him to issue a judgement against the accused. 'Umar wrote to Abu Moosa al-Ash'ari telling him that an Imam should not rule on the basis of his knowledge, speculation or suspicion.[232]

He asked 'Abdur-Raḥmân ibn 'Awf: "What do you think if I saw a man kill, steal or commit *zinâ*?" He said, "I think that your testimony is like that of any other Muslim man." 'Umar said, "You are right."[233]

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[231] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 735.

[232] Ibid and *Muṣannaf 'Abdur-Razzâq*, 8/342.

[233] *Sunan al-Bayhaqi*, 10/144; *Mawsoo'at Fiqh 'Umar*, 735.

With regard to *ḥudood* punishments, there are various reports from 'Umar regarding the prior knowledge of the judge and whether that is sufficient knowledge for the judge to pass judgement on that basis if there is no other evidence available.[234] However 'Umar was keen not to encourage the people to confess their sins, rather he wanted them to repent and to keep the matter between them and Allah. Shuraḥbeel ibn as-Samṭ al-Kindi, who was guarding the border near al-Madâ'in, addressed the people and said: "O' people, you are in a land where drinking is widespread and there are many women. If any one of you commits a crime that deserves a *ḥadd* punishment, let him come to us so that we may carry out the punishment on him, for that will be his purification." News of that reached 'Umar and he wrote to him saying: "It is not permissible for you to tell the people to remove the concealment of Allah Who has concealed them."[235]

But if the people referred the matter for judgement, then it was the state that carried out *ḥadd* punishments without any lenience.[236]

When 'Umar wanted to pass a judgement between two disputants, he would recite the following *du'â'*: "O' Allah, if You know when two disputants sit before me that I am worried in the slightest about who is at fault, then do not withhold the punishment from me for an instant."[237]

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234 *Mawsoo'at Fiqh 'Umar*, p. 735.

235 *Al-Qaḍâ' fee Khilâfat 'Umar*, by Nâṣir aṭ-Ṭurayfi, 2/862.

236 *'Aṣr al-Khilâfah ar-Râshidah*, p. 146.

237 *Al-Ḥilyah*, 6/140; *aṭ-Ṭabaqât*, 3/290, its isnad is *ṣaḥeeḥ*.

2.6. Rulings and punishments meted out by 'Umar for some crimes and misdemeanours

2.6.1. Forging of the official seal of the state

During 'Umar's caliphate a serious event took place which had not taken place before. Ma'n ibn Zâ'idah managed to forge the seal of the state by engraving something similar, which he used to take money from the *bayt al-mâl* of the Muslims. The case was referred to 'Umar, who had him beaten one hundred times and imprisoned. Someone tried to intercede on his behalf, and he had him beaten another hundred times. Someone else tried to intercede on his behalf and he had him beaten a further hundred times and banished.[238]

2.6.2. A man who stole from the *bayt al-mâl* in Koofah

'Umar did not cut off the hand of one who stole from the *bayt al-mâl*. Ibn Mas'ood asked 'Umar about a man who stole from the *bayt al-mâl* and he said: "Let him go, for there is no one who does not have a right to this wealth."[239] But he had him whipped as a *ta'zeer* punishment.[240]

2.6.3. Theft during the year of ar-Ramâdah

During the year of ar-Ramâdah, the slaves of Ḥâṭib ibn Abi Balta'ah stole a camel belonging to a Muzani man, which they slaughtered and ate. The matter was referred to 'Umar, who went after the slaves, and they admitted that they had stolen it from its proper place, and that those who had stolen it were adults of sound

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[238] *Awwaliyât al-Fârooq*, p. 453.

[239] *Al-Mughni*, 12/386; in *al-Irwa'*, 2422, its isnad is *ḍa'eef.*

[240] *'Aṣr al-Khilâfah ar-Râshidah*, p. 148.

mind; they made no claim of necessity that compelled them to steal. 'Umar ordered Katheer ibn aṣ-Ṣalt to cut off their hands but — because he was living through the year of ar-Ramâdah and he saw what the people were going through — he looked for an excuse for them. He said to their master: "I think that you are starving them." That was all he did in this case. He waived the punishment of amputation and he ordered that the Muzani man be given a camel of twice the value[241] (800 *dirhams*). Thus they were protected from the *ḥadd* punishment because of necessity.[242]

2.6.4. An insane woman who committed *zinâ*

An insane woman who had committed *zinâ* was brought to 'Umar. He consulted the people then he commanded that she be stoned. 'Ali ibn Abi Ṭâlib passed by and said: "Take her back!" Then he came to 'Umar and said, "Do you not know that the Pen has been lifted...?" and he quoted the hadith. At the end of it he said, "Yes." 'Ali said, "Then why should she be stoned? Let her go."[243] And 'Umar started to say *takbeer*.[244]

2.6.5. A *dhimmi* who forced a Muslim woman to commit *zinâ*

That happened during the caliphate of 'Umar and he crucified him, because he had gone against the conditions of the treaty.[245]

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[241] *Al-Muntaqa Sharḥ al-Muwaṭṭa'* by al-Bâji, 6/63.

[242] *'Aṣr al-Khilâfah ar-Râshidah*, p. 148.

[243] *Al-Khilâfah ar-Râshidah* by Dr. Yaḥya al-Yaḥya, p. 351; *'Aṣr al-Khilâfah ar-Râshidah*, p. 148.

[244] *'Aṣr al-Khilâfah*, p. 148.

[245] *Al-Muwaṭṭa'*, 2/827; *al-Mughni*, 12/217; Bukhari, hadith no. 2548.

2.6.6. Forcing women to commit *zinâ*

Some slave women who had been forced by some slave men to commit *zinâ* were brought to 'Umar. He beat the men but he did not beat the women.[246]

A woman who had committed *zinâ* was brought to 'Umar and she said: "I was sleeping and when I woke up there was a man on top of me." He let her go and did not beat her.[247]

In these cases where there was some uncertainty, the *ḥadd* punishments were waived. No distinction was made between physical force and threats to kill. During 'Umar's caliphate, a woman asked a shepherd for water, but he refused to give it to her unless she let him have his way with her. She did that, and the matter was referred to 'Umar. He asked 'Ali: "What do you think about her?" He said, "She was forced." So 'Umar gave her something and let her go.

2.6.7. Ruling on one who was ignorant of the prohibition on *zinâ*

It was narrated from Sa'eed ibn al-Musayyib that an agent of 'Umar ibn al-Khaṭṭâb wrote to 'Umar telling him that a man had admitted to him that he had committed *zinâ*. 'Umar wrote to him, telling him: "Ask him whether he knew that it was *ḥarâm* (unlawful, prohibited). If he says yes, then carry out the *ḥadd* punishment on him. If he says no, then tell him that it is *ḥarâm* and if he does it again, then punish him."[248]

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[246] *As-Sunan al-Kubra* by al-Bayhaqi, 8/35; *al-Mughni*, 12/217.

[247] *As-Sunan al-Kubra*, 8/236; *al-Mughni*, 12/218.

[248] *Al-Muḥalla*, 12/107, no. 2198.

2.6.8. She got married during her *'iddah* but she and her husband did not know that it is *ḥarâm*

A woman got married during her *'iddah*, and the matter was referred to 'Umar ibn al-Khaṭṭâb. He beat her but did not carry out the *ḥadd* punishment on her, separated them[249], and whipped the husband as a *ḥadd* punishment.[250]

2.6.9. A woman got married and she already had a husband but she concealed the fact

'Umar stoned her and gave the husband one hundred lashes, but he did not stone him because he had been unaware of the situation.[251]

2.6.10. When al-Mugheerah ibn Shu'bah was accused of *zinâ*

Three men testified against him, but the fourth retracted. 'Umar said: "Praise be to Allah who did not give the *Shayṭân* any cause to rejoice over the Companions of Muhammad (ﷺ)."[252] He carried out the *ḥadd* punishment for slander on the three men, because the testimony is not complete if it is given only by three.[253]

2.6.11. Ruling on a woman who had intercourse with her slave

A woman allowed her slave to have his way with her, and when she was told off, she said: "Doesn't Allah say, ﴿those [slaves]

[249] *Al-Muḥalla*, 12/192, no. 2215.
[250] *'Aṣr al-Khilâfah ar-Râshidah*, p. 149.
[251] Ibid.
[252] *Al-Mughni*, 12/245.
[253] *'Aṣr al-Khilâfah ar-Râshidah*, p. 149.

whom your right hands possess﴾? And this is one whom my right hand possesses." The matter was referred to 'Umar and he said to her: "The one whom your right hand possesses is not permissible for you."[254] According to another report, he separated them and gave her one hundred lashes as a *ta'zeer* punishment not as a *ḥadd* punishment. 'Umar waived the *ḥadd* punishment in her case because she was ignorant of the prohibition.[255]

2.6.12. A woman who accused her husband of having intercourse with her slave woman

A woman accused her husband of having intercourse with her slave woman, then she admitted that she had given her to him. 'Umar ruled that the *ḥadd* punishment for slander should be carried out against her, and she was given eighty lashes.[256]

2.6.13. *Ḥadd* punishment for slander in a case of insinuation

During the caliphate of 'Umar, there was a case where one person made insinuating remarks to another, and said to him: "My father was not an adulterer and my mother was not an adulteress" (implying that that other person's parents were such). Others said, "He could have praised his father and mother in a different manner. We think that he should be given the *ḥadd* punishment." So 'Umar gave him eighty lashes.[257] 'Umar gave the *ḥadd* punishment for this insinuated slander because the hint was very clear. The man was insinuating something about his opponent, so the situation was clear,

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254 *Al-Muḥalla*, 12/194, no. 2216.

255 *Mawsoo'at Fiqh 'Umar ibn al-Khattâb*, p. 203.

256 *'Aṣr al-Khilâfah ar-Râshidah*, p. 150.

257 *As-Sunan al-Kubra* by al-Bayhaqi, 8/252.

and he only said that after they had argued and traded insults. What 'Umar (ﷺ) did is regarded as a means by which he wanted to discipline the foolish and protect the honour of the innocent. This is a wise policy which does not go against any text of the Qur'an and Sunnah, rather it is in accordance with the spirit of shari'ah.[258]

2.6.14. Regarding as insignificant the blood of a Jew who impugned the honour of others

At the time of 'Umar, there were two young righteous men who were as close as brothers. One of them went out to join the jihad, and he asked his brother to look after his family. One night he went to check on his brother's family and he saw a lamp burning in the house, and there was a Jew in the house with his brother's wife, reciting lines of provocative verse.

The young man went back to his own house and fetched a sword, then he entered his brother's wife and killed the Jew, whom he then stripped and threw into the street. The next morning they found the body and no one knew who had killed him. They went to 'Umar ibn al-Khaṭṭâb and told him about that. 'Umar called out to the people: "*aṣ-Ṣalâtu Jâmi'ah* (prayer is about to begin)." The people gathered, then 'Umar ascended the *minbar*; he praised and glorified Allah, then he said, "I adjure by Allah any man who knows anything about this body to tell me about it." The young man stood up and told 'Umar about what had happened. 'Umar said, "May Allah protect your hands," and he regarded it as legitimate to have shed his blood.[259]

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[258] *Awwaliyât al-Fârooq*, Pp. 439, 440.

[259] Ibid, p. 414.

2.6.15. No *diyah* is to be paid for one who was killed by Allah

'Abdur-Razzâq narrated in his *Muṣannaf*, and al-Bayhaqi narrated in his *Sunan*, that a man hosted some people from Hudhayl. They sent a slave woman to fetch some firewood, and the host was attracted to her, so he followed her and wanted to have his way with her, but she refused. He wrestled with her for a while, then she escaped from him and threw a rock at him and killed him. Then she came to her masters and told them what had happened. Her masters went to 'Umar and told him, and 'Umar sent investigators who found their tracks. 'Umar said: "No *diyah* is to be paid for one who was killed by Allah." He regarded it as legitimate to have shed the blood of that aggressor, so there was to be no *qiṣâṣ* or *diyah*, and no expiation was to be offered.

2.6.16. If all the people of Ṣan'â' were to take part in a murder, he would execute all of them

It was narrated from Ibn 'Umar (ﷺ) that a boy was murdered and 'Umar said: "If all the people of Ṣan'â' (Sana) had taken part in that, I would execute them." According to another report, four men killed a boy and 'Umar said: "If all the people of Ṣan'â' had taken part in that, I would execute them."[260] There is no text on this ruling in the Qur'an and Sunnah, and there is no report that Abu Bakr passed any such ruling, rather 'Umar based his ruling on his understanding of the aims of shari'ah and the ruling aimed at preserving the security and stability of society. Bloodshed is no insignificant matter, hence justice, the interests of the ummah and the aims of shari'ah dictate that retaliation (*qiṣâṣ*) should be carried out if

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[260] Bukhari, *Kitâb ad-Diyât*, hadith no. 6896.

it is proven that they all took part in the killing. This is the view of the majority of scholars, including the four Imams, Sa'eed ibn al-Musayyib, al-Ḥasan, Abu Salamah, 'Aṭa', Qatâdah, ath-Thawri, al-Awzâ'i and others.[261] This opinion is more correct and is more deserving of being followed, because of the strength of the evidence, namely 'Umar's action and the consensus of the *Ṣaḥâbah*, and because it serves as a deterrent and protects lives in society.[262]

2.6.17. The punishment of the witch is execution

'Umar wrote to his governors and agents telling them to kill every witch (practitioner of witchcraft), male or female.[263] That was carried out, and there was consensus among the *Ṣaḥâbah* on that point.[264]

2.6.18. One who kills his child deliberately; ruling on a Muslim who kills a *dhimmi*

'Umar ruled that a man who killed his child deliberately had to pay the *diyah*.[265] As for a Muslim who kills a *dhimmi*, the ruling is that he should be executed in retaliation (*qiṣâṣ*). This happened during 'Umar's caliphate, when a Muslim killed a *dhimmi* in Syria, and was executed in retaliation.[266]

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[261] *Al-Mughni* by Ibn Qudâmah, 11/387.

[262] See: *Awwaliyât al-Fârooq as-Siyâsiyah*, p. 409.

[263] *Awwaliyât al-Fârooq as-Siyâsiyah*, p. 447.

[264] Ibid.

[265] *'Aṣr al-Khilâfah ar-Râshidah*, p. 153; *al-Mughni*, 11/405.

[266] *'Aṣr al-Khilâfah ar-Râshidah*, p. 153.

2.6.19. Reconciling between *diyah* and *qasâmah*

Qasâmah is a oath repeatedly sworn either by the heirs of the victim or by the defendant.[267] 'Abdur-Razzâq, Ibn Abi Shaybah and al-Bayhaqi narrated from ash-Sha'bi that a dead body was found between Wâdi'ah and Shâkir.[268] 'Umar commanded them to measure the distance between them, and they found that the body was closer to Wâdi'ah, so he made each man among them swear fifty times: "I did not kill him and I do not know who killed him." Then he imposed the *diyah* on them. They said: "O' *Ameer al-Mu'mineen*, our oaths did not protect our wealth and our wealth did not protect our oaths." 'Umar said, "That's how it should be done."[269]

2.6.20. "O' Allah, I was not there, I did not issue instructions, I did not approve and I was not pleased when the news reached me"

When news of the conquest of Tastar reached 'Umar, he said: "Were there any problems?" They said, "Yes. A man apostatized from Islam." He asked, "What did you do with him?" They said, "We executed him." He said, "Why didn't you lock him in a room and feed him a loaf of bread each day and ask him to repent; if he had repented, all well and good, otherwise you could have executed him." Then he said, "O' Allah, I was not there, I did not issue instructions, I did not approve and I was not pleased when the news reached me."[270]

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[267] *Awâliyât al-Fârooq*, p. 264.

[268] *Awâliyât al-Fârooq*, p. 266; these are two tribes in Yemen.

[269] *As-Sunan al-Kubra* by al-Bayhaqi, 8/123-124; *Awâliyât al-Fârooq*, p. 466.

[270] *Mahḍ aṣ-Ṣawâb*, 1/373.

2.6.21. Making the *ḥadd* punishment for drinking alcohol eighty lashes

When 'Umar became caliph and the Islamic conquests became widespread, people's situation improved and the Muslims spread out. Many people entered Islam but they did not receive a sufficient Islamic education and learn to understand the religion properly like those who had come before them. So wine-drinking became widespread among the people and this was a problem that 'Umar faced. He gathered the senior *Ṣaḥâbah* together and consulted them about the matter. They agreed to bring the *ḥadd* punishment up to eighty lashes, and this was the least severe of the *ḥadd* punishments. He acted upon that and none of the *Ṣaḥâbah* went against that during his reign.[271] Ibn al-Qayyim stated that Khâlid ibn al-Waleed sent Wabarah aṣ-Ṣaleeti from Syria to 'Umar. He said: "I came to him and Ṭalḥah, az-Zubayr ibn al-'Awwâm and 'Abdur-Raḥmân ibn 'Awf were with him, reclining in the mosque. I asked him, 'Khâlid ibn al-Waleed sends *salâms* to you and says that the people are indulging in wine and are not worrying about the punishment; what do you think?' 'Umar said, 'Here they are (the people who can gave you an answer).' 'Ali said, 'I think that when a person gets drunk, he does not know what he is saying, and if he does not know what he is saying, he will tell lies, and the liar deserves eighty lashes.' They agreed on that, so 'Umar said, 'Tell your companion what they said.' So Khâlid gave eighty lashes, and 'Umar gave eighty lashes."[272]

2.6.22. Burning taverns where wine was served

It was narrated from Yaḥya ibn Sa'eed, from 'Ubaydullâh from Nâfi' that Ibn 'Umar (ﷺ) said: " 'Umar found some drink in the

[271] *I'lâm al-Muwaqqi'een*, 1/211.
[272] Ibid.

house of a man of Thaqeef, and he ordered that it be burned. The man was called Ruwayshid ('wise') and 'Umar said: "You are *fuwaysiq* ('evildoer')."[273]

Ibn al-Jawzi said: "Burned" means that 'Umar burned the house of Ruwayshid ath-Thaqafi; it was a tavern (where wine was served). Ibn al-Qayyim said: " 'Umar ibn al-Khaṭṭâb burned taverns with everything in them, and he burned a village where wine was sold.[274]

2.6.23. Marry her off as a chaste Muslim woman

A man came to 'Umar and said: "I have a daughter whom I buried alive during the *Jâhiliyah*, then we dug her up before she died. She came to know of Islam and became Muslim, then she did something that deserves one of the *ḥadd* punishments of Allah. She took a knife to kill herself, but we caught her when she had cut some of her veins. We looked after her until she recovered, then she repented sincerely and now some people are proposing marriage to her. Should I tell them what happened?" 'Umar (ﷺ) said, "Would you deliberately disclose that which Allah has concealed? By Allah, if you tell anyone about her situation, I will make an example of you to the people of all regions. Marry her off as a chaste Muslim woman."[275]

2.6.24. If a man divorces his wife in order to deprive her of the inheritance

It was narrated from Sâlim, from his father, that Ghaylân ath-Thaqafi become Muslim and he had ten wives at that time. The

[273] *Al-Amwâl* by Abu 'Ubayd, p. 125, no. 267; *Awwaliyât al-Fârooq*, p. 435.

[274] *Aṭ-Ṭuruq al-Ḥakeemah*, Pp. 15, 16.

[275] *Maḥḍ aṣ-Ṣawâb*, 2/709; its isnad is *ṣaḥeeḥ* as far as ash-Sha'bi, but it is interrupted between ash-Sha'bi and 'Umar.

Prophet (ﷺ) said: "Choose four." When 'Umar was the caliph, Ghaylân divorced his wives and divided his wealth among his sons. News of that reached 'Umar ibn al-Khaṭṭâb, who sent for him. When he came to him, 'Umar said to him: "I think that the *Shayṭân* may have heard something about your death and has informed you that you are going to die, and that is why you did what you did. By Allah, I believe that soon after you leave me, you are going to die. By Allah, if you die before you take back your wives and take back your wealth, I will give your wives a share of your wealth, then I will stone your grave and make it like the grave of Abu Raghghâl." So he took back his wives — as he had not divorced them irrevocably — and he took back the wealth that he had divided among his sons, and soon after that, he died.[276]

2.6.25. Minimum and maximum length of pregnancy

A woman was brought to 'Umar whose pregnancy had lasted six months, and 'Umar wanted to stone her, but her sister came to 'Ali and said: "Umar wants to stone my sister; I adjure you by Allah, if you know of any way out for her, tell me about it." 'Ali said, "There is a way out for her." She said *takbeer* so loudly that 'Umar and those who were with him heard it. She went to 'Umar and said, "Ali says that there is a way out for my sister." 'Umar sent word to 'Ali, asking, "What is the way out?" 'Ali said, "Allah (ﷻ) says,

﴾The mothers shall give suck to their children for two whole years...﴿ *(Qur'an 2: 233)*

And He also says,

﴾... And the bearing of him, and the weaning of him is thirty months...﴿ *(Qur'an 46: 15)*

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[276] *Mawsoo'at Fiqh 'Umar*, p. 47.

So pregnancy is six months and weaning is twenty-four months." So 'Umar let her go.

And a child may remain in his mother's womb for more than nine months. A woman was brought to 'Umar whose husband had been away for two years, then he came back and found her pregnant. 'Umar wanted to stone her, but Mu'âdh ibn Jabal said: "O' *Ameer al-Mu'mineen*, even if you have a case against her, you do not have a case against the one who is in her womb." So 'Umar left her until she had given birth to a boy whose teeth were already present, and her husband realized that the child looked like him. 'Umar said, "Women can no longer give birth to sons like Mu'âdh. Were it not for Mu'âdh, 'Umar could have made a fatal mistake."[277]

It seems that 'Umar thought that the maximum length of pregnancy was four years, because he ruled that the wife of one who was missing should wait for four years, then she should observe the *'iddah* of a woman whose husband has died. Ibn Qudâmah said, "Quoting 'Umar's view on that, that the one whose husband is missing should wait for four years, the maximum length of pregnancy, then she should observe the *'iddah* of one whose husband has died, four months and ten days, after which it becomes permissible for her to marry."[278]

2.7. Restrictions on personal possessions so that they will not be abused

Another example of 'Umar's ijtihad in which he was ahead of his time and which indicates that the public interest takes precedence over private interests and that restrictions should be placed on

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[277] *Mawsoo'at Fiqh 'Umar ibn al-Khaṭṭâb*, p. 371.
[278] Ibid.

personal possessions so that they will not be abused, is narrated by Mâlik in *al-Muwaṭṭa'*:

It was narrated from 'Amr ibn Yaḥya al-Mâzini, from his father, that aḍ-Ḍaḥḥâk ibn Khaleefah wanted to dig a ditch that would bring water from al-'Areeḍ, and he wanted to bring it through the land of Muhammad ibn Maslamah, but Muhammad refused. Aḍ-Ḍaḥḥâk said to him, "Why are you preventing me when it will benefit you too? You will drink from it first and last and it will not do you any harm." But Muhammad refused. Aḍ-Ḍaḥḥâk spoke to 'Umar ibn al-Khaṭṭâb about that. 'Umar ibn al-Khaṭṭâb summoned Muhammad ibn Maslamah and told him to let aḍ-Ḍaḥḥâk dig the ditch, but Muhammad said no. 'Umar said, "Why won't you let your brother do something that will benefit him and will also benefit you, for you will take water from it first and last and it will not do you any harm." Muhammad said, "No, by Allah." 'Umar said, "By Allah, he is going to bring it even if that is over your belly." 'Umar ordered him to bring the water, and aḍ-Ḍaḥḥâk did that.[279]

Here 'Umar was drawing an analogy with the hadith of Abu Hurayrah, according to which the Prophet (ﷺ) said: «"No one of you should prevent his neighbour from fixing a piece of wood to his wall."»

The case in which 'Umar passed this ruling was clearer, because the Prophet (ﷺ) forbade a neighbour to prevent his neighbour from fixing a piece of wood to his wall; even though such an action will not harm a neighbour, it will not benefit him either, whereas bringing water does two things: it benefits the neighbour and it does not harm him. So this case is clearer. Aḥmad and Ibrâheem thought that 'Umar ruled in this case by what is known nowadays as

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[279] See *al-Muwaṭṭa'*, *Kitâb Is'âf al-Mabṭa' bi Rijâl al-Muwaṭṭa'*, Pp. 638-639; *al-Muwaṭṭa'*, 2/746.

the basic principles of justice.[280]

'Abdus-Salâm as-Sulaymâni thought that it comes under the heading of what is known nowadays in western law as abusing one's rights. This is a definition that the Muslims reached several centuries before the west, and that was based on the hadith of Abu Hurayrah which is quoted above, which 'Umar applied to every case where what a neighbour needs is something that will also benefit the house and land of his neighbour. Others were of the view that it is not permissible to do that except with the neighbour's permission.[281]

From this incident we may note the following points:

1. That this incident comes under the heading of judgements based on 'Umar's ijtihad, because he passed judgement based on aḍ-Ḍaḥḥâk's complaint which he bought to 'Umar after Muhammad ibn Maslamah refused to respond to a request that had been presented to him in a friendly manner, after which he was summoned to come to 'Umar.

2. 'Umar's ruling in this case was not haphazard, rather he investigated the matter and examined the circumstances, and made sure that the opponent was indeed refusing to allow the water to pass through his land, which was an attitude for which there was no justification, because allowing the water to pass would not cause any harm to the defendant; on the contrary he would benefit greatly from it and the interests of both parties would be served. As this was the case, his refusal formed a barrier to the common interest and came under the category of abusing one's rights. 'Umar did not take the matter of achieving the common interest for all members of the ummah lightly.

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280 *'Ilm Uṣool al-Fiqh wa Târeekh at-Tashree'*, p. 39.

281 *Al-Ijtihâd fee al-Fiqh al-Islâmi*, Pp. 140, 141.

3. 'Umar spoke kindly to Muhammad ibn Maslamah, reminding him of Islamic brotherhood, in an attempt to convince him to change his mind. When this kindness was met with a blunt refusal accompanied by an oath, an attitude which implied a challenge to the authority of the caliph and a refusal to submit to his rule, 'Umar's response was tough and came at the right level, as befitted his responsibility to protect the authority of the caliphate which he was only using to achieve the interests of all Muslims and protect their rights.[282]

2.8. Allowing a threefold divorce with one utterance

It was narrated that Ibn 'Abbâs said: «"At the time of the Messenger of Allah (ﷺ) and Abu Bakr, and for the first two years of 'Umar's caliphate, the pronouncement of three divorces in one was regarded as one. Then 'Umar ibn al-Khaṭṭâb said, 'The people are being hasty with regard to something in which they should take their time. It would be better for us to let it stand (i.e., to let it count as three divorces),' so he let it stand."»[283] It was narrated that «Abu aṣ-Ṣahba' asked Ibn 'Abbâs: "Do you know that three divorces at once used to be counted as one during the time of the Prophet (ﷺ) and Abu Bakr and for three years of 'Umar's reign?" Ibn 'Abbâs said, "Yes."»[284]

According to these two reports, 'Umar ibn al-Khaṭṭâb ruled that that counted as a threefold divorce, unlike the practice at the time of the Messenger of Allah (ﷺ) and the time of Abu Bakr aṣ-Ṣiddeeq, when three divorces uttered in one go counted as a single divorce.

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282 *Al-Ijtihâd fee al-Fiqh al-Islâmi*, Pp. 141, 142.

283 Muslim, *Kitâb aṭ-Ṭalâq*, hadith no. 1472.

284 Ibid.

'Umar justified this punishment by noting that the practice of uttering a three-fold divorce in one go was on the rise, and he wanted to bring the people back to the form of divorce that is outlined in the Sunnah, which is prescribed by Allah, which is that the man should pronounce one divorce, then leave her (the wife) until she has completed her *'iddah*; then if he wants to take her back as his wife, he may do so before the *'iddah* ends, and so on, until the three divorces (*ṭalâq*) have been completed.[285]

Some people regarded this action of 'Umar's as running contrary to the texts, such as Dr. 'Aṭiyah Muṣṭafa Mushrifah, who said: "Umar had the audacity to follow his opinion even if that went against some of the texts and principles that were known and had previously been followed, so that the new ruling would be more suited to the new Muslim society."[286] One example that is given is letting the threefold divorce uttered in one go count as three divorces.[287] The truth of the matter is that by doing this, 'Umar did not go against the definitive texts, rather he was striving to understand the texts, because there are some reports which support his view.

1. Mâlik narrated from Ashhab from al-Qâsim ibn 'Abdullâh that Yaḥya ibn Sa'eed told him that Ibn Shihâb told him, that Ibn al-Musayyib told him, that: "A man from Aslam divorced his wife at the time of the Messenger of Allah (Blessings and peace be upon him) with three divorces. Some of the *Ṣaḥâbah* (Companions of the Prophet) said to him, 'You have the right to take her back.' But his wife went to the Messenger of Allah (ﷺ) and said, 'My husband divorced me with three divorces in one go.' The Messenger of Allah

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[285] *Al-Qaḍâ' fee 'Ahd 'Umar ibn al-Khaṭṭâb*, by Dr. Nâṣir aṭ-Ṭareefi, 2/733.
[286] *Al-Qaḍâ' fee al-Islâm*, p. 98.
[287] Ibid, p. 99

(ﷺ) said to her, 'You are irrevocably divorced, and there is no inheritance between you.'"»[288] In this hadith we see that the Messenger of Allah (ﷺ) allowed a threefold divorce uttered in one go to stand.

2. Nasâ'i narrated that: «The Messenger of Allah (ﷺ) was told about a man who divorced his wife three times all in one go. He got up angrily and said, "Is the Book of Allah being toyed with when I am still among you?" Then a man stood up and said, "O' Messenger of Allah, shall I kill him?"»[289] In this hadith we see that the Messenger of Allah (ﷺ) got angry with one who divorced his wife three times in one sitting, and denounced him, which indicates that this happened. If the threefold divorce had not taken place in one sitting, the Messenger of Allah would have said so, because it is not permissible to delay giving an explanation at the time when it is needed.[290]

3. It was narrated from Nâfi' ibn 'Umayr ibn 'Abd Yazeed ibn Rakânah, that: «Rakânah ibn 'Abd Yazeed divorced his wife Suhaymah irrevocably. The Prophet (ﷺ) was told about that and he said, "By Allah, I only intended it to be one (divorce)." The Messenger of Allah (ﷺ) said, "By Allah, you only intended it to be one?" Rakânah said, "By Allah, I only intended it to be one." So the Messenger of Allah (ﷺ) sent her back to him.» He divorced her for the second time during 'Umar's reign, and for the third time during 'Uthmân's reign.[291] According to this hadith, when Rakânah

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[288] *Al-Mudawanah al-Kubra, Kitâb aṭ-Ṭalâq, Bâb Ṭalâq as-Sunnah,* 2/62. It is *mursal,* but the *mursal* reports of Sa'eed ibn al-Musayyib are all *ṣaḥeeḥ*.

[289] *Sunan an-Nasâ'i, Kitâb aṭ-Ṭalâq, aṭ-Ṭalâq ath-Thalâth al-Majmoo'ah,* 6/142. Ibn Ḥajar said concerning this hadith: It was narrated by Nasâ'i and its men are *thiqât. Fatḥ al-Bâri,* 9/362. Ibn al-Qayyim said: Its isnad is in accordance with the conditions of Muslim. *Zâd al-Ma'âd,* 5/241.

[290] *Al-Qaḍâ' fee 'Ahd 'Umar ibn al-Khaṭṭâb,* 2/736.

[291] *Sunan Abi Dawood, Kitâb aṭ-Ṭalâq, Bâb fee al-Battah,* 1/511. Abu Dawood=

divorced his wife irrevocably and claimed that he only meant one divorce, the Messenger (ﷺ) asked him to swear that he only meant one divorce, so he swore that and the Prophet (ﷺ) sent his wife back to him. This indicates that if he had intended to irrevocable three-times divorce, it would have taken effect, otherwise his oath would have had no meaning.

After quoting the above, we see that the caliph 'Umar based his decision on evidence from the Sunnah of the Messenger of Allah (ﷺ), and that by allowing a divorce that was uttered three times in one go to count as a threefold divorce, he was not introducing an innovation that he had made up. Many of the *Ṣaḥâbah* agreed with his opinion, such as 'Uthmân ibn 'Affân, 'Ali ibn Abi Ṭâlib, 'Abdullâh ibn 'Abbâs and 'Abdullâh ibn Mas'ood — who are mentioned in more than one report — and 'Imrân ibn Ḥuṣayn. Based on this, the issue of whether the threefold divorce uttered in one go counts as such, or whether it counts when a man says words such as "You are thrice divorced," "You are divorced and divorced and divorced," or "You are divorced three times, or ten times, or a hundred times, or a thousand times" and so on, is a matter that is subject to the ijtihad of the ruler, according to whether he thinks it is best at that time and in that place for it to count as a threefold divorce or as a single, revocable, divorce.[292]

Ibn al-Qayyim (may Allah have mercy on him) said:

=said: This is more *ṣaḥeeḥ* than the hadith of Jurayj which says that Rakânah divorced his wife three times, because they were members of his family and he knew them better. An-Nawawi said: As for the differing report which says that Rakânah divorced his wife three times and made it one, it is a *ḍa'eef* report which is narrated from unknown (*majhool*) people. The correct report is that which is quoted above, which says that he divorced her irrevocably (*al-battah*), and the word *al-battah* may mean once or thrice. *Sharḥ an-Nawawi*, 10/71.

[292] *Al-Fuqaha' fee 'Ahd 'Umar ibn al-Khaṭṭâb*, 2/736-739.

" 'Umar was not dissenting from the consensus of those who had come before him, rather he thought that they should be forced to adhere to the threefold divorce as a punishment to them, because they knew that it was *ḥarâm* but they persisted in doing it. Undoubtedly it is acceptable for rulers to force people to go through with what they have brought upon themselves by not accepting the concession granted by Allah.[293]

2.9. Prohibition of *mut'ah* marriage (Temporary marriage)

It is reported that 'Umar ibn al-Khaṭṭâb (ﷺ) forbade *mut'ah* marriage and was emphatic in doing so; he regarded it as *zinâ* which was punishable by stoning in the case of one who was previously-married. Some people think that the one who forbade *mut'ah* was 'Umar ibn al-Khaṭṭâb, not the Messenger of Allah (ﷺ). It was narrated that Abu Naḍrah said: "Ibn 'Abbâs used to enjoin *mut'ah*, and Ibn az-Zubayr used to forbid it." He said, "I mentioned that to Jâbir ibn 'Abdullâh and he said, 'I know about this issue. We engaged in *mut'ah* at the time of the Messenger of Allah (ﷺ), then when 'Umar became caliph he said, 'Allah used to permit whatever He wanted to His Messenger as He willed. Now the Qur'an has been revealed and completed, so complete Ḥajj and 'Umrah as Allah has commanded you, and formalize your marriage with those women (with whom you entered into temporary marriages), for if any man who has married a woman for a certain period is brought to me, I will stone him'.' "[294]

This report implies that *mut'ah* was practised at the time of the

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[293] *Zâd al-Ma'âd*, 5/270.

[294] Muslim, *Kitâb al-Ḥajj*, hadith no. 1217.

Messenger of Allah (ﷺ), and that the one who forbade it was 'Umar ibn al-Khaṭṭâb. The reports which imply that *mut'ah* was permitted at the time of the Messenger of Allah (ﷺ) and he did not forbid it, and that it was also permitted at the time of Abu Bakr, and that the one who forbade *mut'ah* after it had been permitted was 'Umar ibn al-Khaṭṭâb, were mentioned in Muslim and in the *Muṣannaf* of 'Abdur-Razzâq. But in fact the one who forbade *mut'ah* was the Messenger of Allah (ﷺ). Those *Ṣaḥâbah* who are described as regarding *mut'ah* as permissible had not heard of the definitive prohibition by the Messenger of Allah (ﷺ). Similarly those later scholars who attributed the prohibition of *mut'ah* to 'Umar ibn al-Khaṭṭâb without any evidence to that effect, such as Abu Hilâl al-'Askari[295] and Rafeeq al-'Adhm[296], were unaware of the evidence concerning that from the Sunnah of the Messenger of Allah (ﷺ), which was the basis on which 'Umar forbade *mut'ah*.

There follow some *aḥâdeeth* which were narrated from the Messenger of Allah (ﷺ), from which we understand that he forbade *mut'ah*:

1. Muslim narrated that Salamah said: «"The Messenger of Allah (ﷺ) granted a concession during the year of Awṭâs allowing *mut'ah* for three (days), then he forbade it."»[297]

2. Muslim narrated that Sabrah said: «The Messenger of Allah (ﷺ) gave us permission to engage in *mut'ah*, so another man and I went to a woman from Banu 'Âmir, who was young and beautiful, and proposed *mut'ah* marriage to her. She asked, "What will you give

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[295] *Al-Awâ'il*, 1/238-239.

[296] *Ashhar Madhâhir al-Islam*, 2/432; *al-Qaḍâ' fee 'Ahd 'Umar ibn al-Khaṭṭâb*, 2/756.

[297] Muslim, *Kitâb an-Nikâh, Bâb al-Mut'ah*. It was permitted then abrogated, then permitted then abrogated, and the prohibition remains in effect until the Day of Resurrection (vol. 2, hadith no. 1033).

me?" I said, "My cloak." My companion also said, "My cloak." My companion's cloak was finer than mine, but I was younger than him. When she looked at my companion's cloak, she liked it, but when she looked at me, she liked me. Then she said, "You and your cloak are sufficient for me." I stayed with her for three (days), then the Messenger of Allah (ﷺ) said: "Whoever has any of these women with him with whom he has engaged in *mut'ah*, he should let her go."»

3. Muslim narrated from Sabrah al-Juhani, that: «He was with the Messenger of Allah (ﷺ) and he said: "O' people, I had given you permission to engage in *mut'ah* with women, but now Allah has forbidden that until the Day of Resurrection. So whoever has any such woman with him, he should let her go, and do not take back anything that you gave to them."»[298]

4. Muslim narrated from 'Ali ibn Abi Ṭâlib that: «He heard Ibn 'Abbâs being lenient with regard to *mut'ah*. He said, "Wait a minute, O' Ibn 'Abbâs. The Messenger of Allah (ﷺ) forbade it on the day of Khaybar, and he forbade the meat of domestic donkeys."»[299]

'Umar did not introduce the prohibition on *mut'ah* from his own ideas, rather he was following the Messenger of Allah (ﷺ) when he forbade it permanently during the year of the conquest of Makkah in 8 A.H., after he had forbidden it at Khaybar in 6 A.H., then permitted it during the year of the Conquest, when the people engaged in *mut'ah* for fifteen days, then the Prophet (ﷺ) forbade it until the Day of Resurrection.[300]

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[298] Muslim, *Kitâb an-Nikâh*, hadith no. 1406.

[299] Muslim, *Kitâb an-Nikâh*, 2/1027, hadith no. 1407.

[300] *Al-Qaḍâ' fee 'Ahd 'Umar ibn al-Khaṭṭâb*, 2/756.

2.10. Fiqhi views favoured by 'Umar (ﷺ)

'Umar influenced the judicial system with his ijtihad concerning *qiṣâṣ*, *ḥadd* punishments, crimes and *ta'zeer* punishments. He also played a role in the development of the schools of fiqh with his ijtihad which is indicative of the depth of his knowledge and understanding of the aims of shari'ah. There are many view in fiqh for which he expressed a preference; there follow some examples:

1. 'Umar (ﷺ) was of the view that the skin of a dead animal may be purified by means of tanning, if it was pure when it was alive.

2. 'Umar (ﷺ) was of the view that it is *makrooh* to pray wearing fox skins.

3. 'Umar (ﷺ) was of the view that it is not *makrooh* for a fasting person to use the *siwâk* after the sun has passed its zenith; rather it is *mustaḥabb*.

4. 'Umar (ﷺ) was of the view that wiping over the *khuffayn* etc. is allowed for one day and night in the case of a non-traveller, and three days and nights in the case of a traveller.

5. 'Umar (ﷺ) was of the view that the period for wiping over the *khuffayn* starts after a person breaks his *wuḍoo'*.

6. The time of *Jumu'ah* is when the sun has passed its zenith.

7. 'Umar was of the view that touching the penis invalidates *wuḍoo'*.

8. 'Umar (ﷺ) was of the view that the *takbeer* of *'Eid* begins after *Fajr* on the day of 'Arafah and lasts until *'Aṣr* on the last of the days of *at-Tashreeq*.

9. Abu Bakr and 'Umar were of the view that it is better to walk in front of the bier (*janâzah*).

10. He was of the view that zakah is obligatory on behalf of children and the insane.

11. 'Umar favoured the view that parties to a transaction have the option of nullifying the deal so long as they are still together.

12. He was of the view that payment in advance for animals is not valid.

13. He was of the view that if there is a condition that if a debt is not paid when it becomes due then the item given in pledge for that debt is considered to have been sold in return for the debt owed, this is an invalid condition.

14. 'Umar was of the view that if a creditor finds his goods with a debtor, then he is most entitled to them.

15. 'Umar was of the view that a girl should not be given her money after she reaches puberty until she gets married or gives birth, or until she has been in her husband's house for a year.

16. 'Umar was of the view that the compensation for an animal's eye is one-quarter of its value.

17. 'Umar was of the view that pre-emption is only with regard to common property that has not been divided, and that the neighbour has no right of pre-emption.

18. He was of the view that it is permissible to have a *musâqâh*[301] agreement for all kinds of trees.

19. Abu Bakr and 'Umar were of the view that it is permissible to hire a worker in return for giving him clothes.

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[301] *Musâqâh*: Sharecropping contract over the lease of a plantation, limited to one crop period. [Hans Wehr Dictionary]

20. 'Umar was of the view that a gift is not irrevocable until it has been acquired.

21. He was of the view that a gift given to someone other than a relative may be taken back unless one has been rewarded for it, but whoever gives a gift to a relative has no right to take it back.

22. He was of the view that the period for announcing lost property is one year.

23. He was of the view that it is permissible to take and use lost property that is of insignificant value, without announcing it.

24. 'Umar was of the view that if a person has announced lost property for the proper length of time and he does not know who it belongs to, then it becomes like the rest of his possessions, whether he is rich or poor.

25. 'Umar was of the view that lost property is the same whether it is found inside or outside the sanctuary.

26. He was of the view that the foundling should stay with the one who found him, if he is trustworthy.

27. He was of the view that it is permissible to change one's will. He said: "A man may change whatever he wants of his will."

28. 'Umar was of the view that *kalâlah* refers to a person who dies and has no children or parents living.

29. He was of the view that if there are sisters and daughters, they are entitled to whatever is left of the estate after it has been divided.

30. If there is a husband, a mother, siblings through the mother, and siblings through the father and mother, this is an issue of inheritance concerning which the scholars differed in the past and in modern times. It is narrated that 'Umar, 'Uthmân and Zayd ibn Thâbit (may Allah be pleased with them all) allocated one-third to be shared

among the children of both parents and the children of the mother, with each male getting the share of two females.

31. He was of the view that grandmothers should get one-sixth, even if they are many. This is the view of Abu Bakr.

32. 'Umar was of the view that if there are a mother, a sister and a grandfather, the sister gets one-half, the mother gets one-third of what is left, and the grandfather gets what is left.

33. 'Umar was of the view that if there is a husband and two parents, the husband should be given half, the mother one-third of what is left and the father gets whatever is left. If there are a wife and two parents, the wife is given one-quarter, the mother is given one-third of what is left and the father gets whatever is left.

These two issues are known as *al-'Umariyatayn*, because 'Umar gave these rulings.

34. He was of the view that relatives should be given some of the inheritance if they are not entitled to a specific share.[302]

These are some of the views favoured by 'Umar in the field of fiqh. They deserve further study and examination, as I have only mentioned them in brief here.

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[302] See *Maḥḍ aṣ-Ṣawâb*, 3/754-774.